

**PLANNING AND DEVELOPMENT CONTROL COMMITTEE**  
**21/11/2006**

**DIRECTORATE OF ENVIRONMENT**

**REPORT OF THE HEAD OF PLANNING – G.WHITE**

**INDEX OF REPORT ITEMS**

**PART 1 – Doc.Code: PLANDEV-211106-REP-EN-GW**

**SECTION A – MATTERS FOR DECISION**

**1. PLANNING APPLICATIONS  
RECOMMENDED FOR APPROVAL**

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1.9	APP NO: P/2006/1195	TYPE: Vary Condition	Page Nos: 56-61	Wards Affected: Coedffranc Nort
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**2. LISTED BUILDING AND CONSERVATION  
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**3. TPO APPLICATIONS  
RECOMMENDED FOR APPROVAL**

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3.2	APP NO: P/2006/1411	TYPE: App under TPO	Page Nos: 139-142	Wards Affected: Bryncoch South
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#### 4. PLANNING APPLICATIONS RECOMMENDED FOR REFUSAL

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4.2	APP NO: P/2005/645	TYPE: Full Plans	Page Nos: 229-233	Wards Affected: Margam
PROPOSAL:	PROPOSED CONVERSION OF BARN AND OUTBUILDINGS INCLUDING AN EXTENSION INTO A DETACHED BUNGALOW (Revised Plans Received)			
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4.3	APP NO: P/2006/37	TYPE: Outline	Page Nos: 234-237	Wards Affected: Coedffranc West
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4.4	APP NO: P/2006/844	TYPE: Householder	Page Nos: 238-240	Wards Affected: Briton Ferry Ea
PROPOSAL:	TWO STOREY REAR EXTENSION AND DETACHED GARAGE			
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4.5	APP NO: P/2006/879	TYPE: Outline	Page Nos: 241-246	Wards Affected: Dyffryn
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4.6	APP NO: P/2006/974	TYPE: Householder	Page Nos: 247-249	Wards Affected: Port Talbot
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4.7	APP NO: P/2006/1096	TYPE: Full Plans	Page Nos: 250-254	Wards Affected: Coedffranc Cent
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4.9	APP NO: P/2006/1185	TYPE: Outline	Page Nos: 259-262	Wards Affected: Resolven
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4.10	APP NO: P/2006/1231	TYPE: Householder	Page Nos: 263-266	Wards Affected: Neath South
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4.12	APP NO: P/2006/1335	TYPE: Householder	Page Nos: 272-275	Wards Affected: Bryn & Cwmavon
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4.13	APP NO: P/2006/1359	TYPE: Householder	Page Nos: 276-279	Wards Affected: Pontardawe
PROPOSAL:	TWO STOREY SIDE AND REAR EXTENSION			
LOCATION:	LLWYN MEUDWY ISAF FARM, CHURCH ROAD, YNYSMEUDWY PONTARDAWE, SWANSEA NEATH PORT TALBOT SA8 4TS			

4.14	APP NO: P/2006/1371	TYPE: Outline	Page Nos: 280-283	Wards Affected: Rhos
PROPOSAL:	2 NO. DETACHED DWELLINGS - OUTLINE			
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4.15	APP NO: P/2006/1394	TYPE: Full Plans	Page Nos: 284-289	Wards Affected: Bryn & Cwmavon
PROPOSAL:	FISHING LAKE			
LOCATION:	CILCARN FARM, BRYN, PORT TALBOT			

4.16	APP NO: P/2006/1404	TYPE: Householder	Page Nos: 290-292	Wards Affected: Resolven
PROPOSAL:	DEMOLITION OF EXISTING GARAGE - SINGLE STOREY REAR EXTENSION TO DWELLING AND LOFT CONVERSION			
LOCATION:	2 LLETY DAFYDD, CLYNE, NEATH NEATH PORT TALBOT SA11 4BG			

4.17	APP NO: P/2006/1436	TYPE: Householder	Page Nos: 293-296	Wards Affected: Seven Sisters
PROPOSAL:	SINGLE STOREY REAR SUMMER ROOM EXTENSION			

LOCATION:	32 MARTYNS AVENUE, SEVEN SISTERS, NEATH NEATH PORT TALBOT SA10 9DR
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4.18	APP NO: P/2006/1469	TYPE: Outline	Page Nos: 297-300	Wards Affected: Briton Ferry We
PROPOSAL:	OUTLINE RESIDENTIAL DEVELOPMENT			
LOCATION:	LAND REAR OF, 56 GLANYMOR STREET, BRITON FERRY, NEATH NEATH PORT TALBOT SA11 2LF			

4.19	APP NO: P/2006/1475	TYPE: Outline	Page Nos: 301-305	Wards Affected: Bryncoch South
PROPOSAL:	OUTLINE PLANNING APPLICATION FOR ONE DETACHED DWELLING AND GARAGE			
LOCATION:	LAND AT REAR, 12 - 22 MAIN ROAD, BRYNCOCH, NEATH NEATH PORT TALBOT SA10 7PD			

4.20	APP NO: P/2006/1486	TYPE: Full Plans	Page Nos: 306-311	Wards Affected: Pontardawe
PROPOSAL:	RETROSPECTIVE APPLICATION FOR CHANGE OF USE FROM GARAGE TO CAR SALES			
LOCATION:	WESTERN GARAGE, SWANSEA ROAD, PONTARDAWE, SWANSEA NEATH PORT TALBOT SA8 4AL			

4.21	APP NO: P/2006/1497	TYPE: Full Plans	Page Nos: 312-316	Wards Affected: Baglan
PROPOSAL:	TWO STOREY DWELLINGHOUSE			
LOCATION:	PLOT 1, LAND ADJACENT TO :-, 7 LABURNUM AVENUE, BAGLAN, PORT TALBOT			

4.22	APP NO: P/2006/1500	TYPE: Outline	Page Nos: 317-321	Wards Affected: Glynneath
PROPOSAL:	OUTLINE PLANNING APPLICATION FOR ONE DETACHED DWELLING			
LOCATION:	LAND AT REAR, 1 MIN Y COED, GLYNNEATH, NEATH NEATH PORT TALBOT SA11 5RY			

## 5. TPO APPLICATIONS RECOMMENDED FOR REFUSAL

5.1	APP NO: P/2006/1449	TYPE: App under TPO	Page Nos: 322-323	Wards Affected: Coedffranc Nort
PROPOSAL:		FELLING OF THREE SYCAMORE TREES		
LOCATION:		LAND TO REAR OF, 7 SUNNYLAND CRESCENT, SKEWEN, NEATH NEATH PORT TALBOT SA10 6TY		

6. ENPT 5545: PORCH TO THE FRONT OF 14 LEWIS STREET, PONTRHYDYFEN	Page Nos: 324-326	Wards Affected: Plenna
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7. ENPT 5517 REQUEST FOR THE ISSUING OF AN ENFORCEMENT NOTICE - REMOVAL OF A WOODEN STRUCTURE, FORMER ST. JOHN'S CHURCH, DUFFRYN ROAD, ALLTWEN, PONTARDAW.	Page Nos: 327-328	Wards Affected: Alltwen
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## SECTION B – MATTERS FOR INFORMATION

8. DELEGATED APPLICATIONS DETERMINED BETWEEN 24 <sup>TH</sup> OCTOBER AND 13 <sup>TH</sup> NOVEMBER 2006	Page Nos: 329-346	Wards Affected:
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### **Human Rights Act**

The Human Rights Act 1998 came into force on 2<sup>nd</sup> October 2000. It requires all public authorities to act in a way which is compatible with the European Convention on Human Rights. Reports and recommendations to the Sub-Committee have been prepared in the light of the Council's obligations under the Act and with regard to the need for decisions to be informed by the principles of fair balance and non-discrimination.

### **Background Papers**

The relevant background papers for each of the planning applications listed in section 1-5 and 8 above are contained in the specific planning

applications files and documents listed in Background Information in each individual report. The contact officer for the above applications is Geoff White.

## **SECTION A – MATTERS FOR DECISION**

### **1. PLANNING APPLICATIONS RECOMMENDED FOR APPROVAL**

<b><u>ITEM 1.1</u></b>	
<b><u>APPLICATION NO:</u> P/2006/115</b>	<b><u>DATE:</u> 24/01/2006</b>
<b>PROPOSAL: OUTLINE RESIDENTIAL DEVELOPMENT INCLUDING MEANS OF ACCESS</b>	
<b>LOCATION: CHURCH OF HOLY TRINITY, FAIRWAY, SANDFIELDS, PORT TALBOT SA127HG</b>	
<b>APPLICANT: REVEREND STEVEN KIRK</b>	
<b>TYPE: Outline</b>	
<b>WARD: Sandfields West</b>	

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Port Talbot Local Plan  
 E2- Appearance and quality of built up areas.  
 R11- Infill residential development.  
 T11- parking

Neath Port Talbot Draft Unitary Development Plan.

GC1- General Considerations.  
 H3- Infill and Windfall development.  
 T1- Location, layout and accessibility of new proposals.  
 T10- Parking.

#### **b. Other Policies**

None.

### **c. Relevant Planning History**

06/1057 Erection of a new single storey church – to be considered elsewhere on this agenda.

### **d. Responses to Consultations**

Number of properties consulted: 37

The application was also advertised on site and in the press.

Number of replies received: 1

The reply offer no objection to the proposals.

Statutory Consultees:

Environment Agency- No Objection.

Head of Engineering and Transport (Highways)- No Objection, subject to conditions.

Head of Engineering and Transport (Drainage)- No Reply, therefore no observations to make.

Glamorgan Gwent Archaeological Trust- Request the recording of the building prior to demolition.

Wales and West Utilities- Apparatus not affected.

Western Power Distribution- Apparatus not affected.

Dwr Cymru Welsh Water- No Objection, subject to conditions.

### **APPRAISAL**

Outline planning permission is sought for a residential development with all matters reserved, apart from access at the site of the Holy Trinity church, off Fairway, Port Talbot.

Members will note that an application for a new church has also been submitted to the Authority on land fronting Fairway, adjoining Holy Trinity House. The application appears elsewhere on this agenda.

The site measures 0.41ha, measuring approximately 90m by 45m, and is relatively level. The frontage of the site is developed with the existing church and ancillary car parking. The rear, approximately half of the site is currently grassed. It is bounded to the north, south and east by the rear gardens of adjoining residential development. To the west the site is bounded by the existing access road and further residential dwellings.

Access to the site is to be gained via the existing access road off Fairway. This serves the existing church, which is to be demolished, and further residential properties to the west. Indicative plans provided by the applicant indicate an access road entering the site with a turning head and the provision of 18 semi-detached single storey dwellings. However, it is made clear that these details are not part of this application and are illustrative only.

It is considered that the material issues in this case are the principle of re-development at this site for residential purposes, highway and pedestrian safety, and the character and amenity of the area.

In relation to Policy, the site is unallocated within the Port Talbot Local Plan. Policy R11 allows for infill residential development within residential areas. Within the Neath Port Talbot Deposit Draft Unitary Development Plan, the site is located within the defined settlement limits, and Policy H3 also allows for infill or windfall residential development subject to criteria. It is considered that in principle the use of this land for residential purposes would be acceptable in policy terms, and that subject to siting and design can provide a form of development in keeping with the area as a whole, and one which does not significantly impact upon the amenities of the adjoining properties.

In respect of the indicative plans provided indicating a maximum of 18 dwellings on the site, it is clear that the site cannot accommodate more than this number, and therefore no request for affordable housing provision at this site has been made by the Authority. Furthermore, the illustrative siting of the 18 dwellings dictates that the dwellings will be sited in close proximity to the boundaries of the site. Whilst it is acknowledged that they will be single storey in design, the developer will be advised in the form of an advisory note that the reserved matters application should give full consideration to the siting of the dwellings in relation to the boundaries of existing dwellings.

Turning to highway and pedestrian safety, the Head of Engineering and Transport, Highway Section, offers no objection to the proposal subject to

conditions. These specifically refer to the need to extend the public highway, and its adoption fronting the existing properties of 37 to 43 and the provision of three off street car parking spaces to the rear of and for the residents of No 37. In addition standard conditions requiring off street car parking within the site and a turning head would be required as part of any development.

In conclusion the proposed re-development of the site for residential purposes would provide an appropriate re-use of this site, in keeping with the primary land use in the area. Subject to careful siting and design, the site is capable of accommodating a form of residential development without affecting the existing residential amenities of the adjoining properties in addition to safeguarding visual amenity and highway safety. It is therefore recommended that the application be approved.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS:**

(1)Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application was made for outline planning permission.

(2)Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application was made for outline planning permission.

(3)Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

(4)The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

(5)No site works shall be undertaken until the implementation of an appropriate programme of building recording and analysis of the existing church has been agreed with the local planning authority, to be carried out by a specialist and accordance with an agreed written brief and specification.

Reason

To ensure a written record of the building for the public archive.

(6)Unless otherwise agreed in writing with the Local Planning Authority the development shall be connected to the main sewerage system prior to the occupation of each associated dwelling.

Reason

In order to ensure the provision of adequate foul drainage.

(7)Development shall not begin until details of the proposed drainage works have been submitted to and approved by the local planning authority, and such drainage works shall be implemented as may be approved by this condition.

Reason

In order to ensure the provision of adequate foul drainage.

(8)No dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the local planning authority in writing.

Reason



In order to ensure the provision of adequate foul drainage.

(9) No surface water or land drainage run-off shall be discharged directly or indirectly into the public sewerage system.

Reason

In the interests of amenity and to prevent hydraulic overloading of the public sewerage system and pollution of the environment.

(10) Prior to the occupation of the dwelling at least two car parking spaces, three if the gross floor area exceeds 120 sq.m., shall be provided within the curtilage of each dwelling in accordance with a scheme which shall be submitted to and approved in writing by the local planning authority. The approved car parking areas shall be retained as such and thereafter not be used for any purpose other than vehicle parking.

Reason

To comply with the requirements of the local planning authority concerning off-street car parking in the interests of amenity and highway safety.

(11) Prior to any work commencing on site a scheme shall be submitted to and approved in writing by the local planning authority detailing the existing access road outside No's 37 to 43 Fairway, this access shall include a minimum of 5.5m wide carriageway, a 2m wide footway and all necessary works to accommodate the existing off street car parking.

Reason

In the interests of Highway and Pedestrian safety.

(12) Prior to any works commencing on any dwelling, the parking layout detailed on Drawing No. HTH-LAY-01-D shall be implemented in accordance with a scheme to be submitted to and approved in writing by the local planning authority.

Reason

In the interests of Highway and Pedestrian safety.

(13) Prior to any works commencing on site a scheme shall be submitted to and approved in writing by the local planning authority including the following;

1. Longitudinal and vertical carriageway alignment.
2. Surface water drainage proposals including gully and manhole positions, pipe sizes and gradients.
3. Street lighting proposals.

**Reason**

In the interests of Highway and pedestrian safety.

<b>ITEM 1.2</b>	
<b>APPLICATION NO: P/2006/312</b>	<b>DATE: 08/03/2006</b>
<b>PROPOSAL: OUTLINE RESIDENTIAL FOR 2 DWELLINGS INCLUDING MEANS OF ACCESS</b>	
<b>LOCATION: LAND ADJACENT TO, CWRT SART CONGREGATIONAL CHURCH, BRITON FERRY, NEATH SA112TB</b>	
<b>APPLICANT:</b>	<b>MR P EVANS</b>
<b>TYPE:</b>	<b>Outline</b>
<b>WARD:</b>	<b>Briton Ferry Ea</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan:

Policy E67 New development.

Policy H3 Development which consists of infilling or rounding-off of existing settlements.

Policy T26 Highways.

Policy E78 Adequacy of sewerage facilities.

Neath Port Talbot Deposit Draft Unitary Development Plan:

Policy GC 1 General Conditions.

Policy H3 Infill and Windfall within Settlements

### **b. Other Policies**

None.

### **c. Relevant Planning History**

None.

### **d. Responses to Consultations**

Number of properties consulted: 16

Site notices displayed

Number of replies received: 6

The objections can be summarised as follows;

- a) The land to the rear of our properties belong to us, we have lived in this area for many years and have cultivated the land until recently.
- b) The new opening onto the main road would be opposite the chapel of Rest where access is needed at all times, parking is difficult when the chapel is in use. More traffic will cause problems as the roads are already too busy with recent developments.
- c) Why were residents not allowed to buy the land for themselves.
- d) The development would cause privacy problems for the school, and affect the outlook and cause safety highway problems.
- d) The development will affect view and privacy.

Statutory Consultees:

Briton Ferry Community Council: No reply therefore no observations to report.

Hyder Consulting (Welsh Water): No objections. Requested advisory note to be added.

Head of Engineering and Transport (Highways): No objections subject to conditions.

Head of Engineering and Transport (Drainage): No objections.

Environment Agency: No objections.

Wales and West Utilities: No objections.

Western Power Distribution: No objections.

## **APPRAISAL**

This application seeks permission in outline for the construction of two dwellings with all matters relating to siting, design, external appearance, and landscaping reserved for subsequent approval. Matters relating to access are to be considered in the application.

The application site comprises an irregular shaped plot of land 0.12 hectare in area located to the west of Cwrt Sart, Briton Ferry. The site is level with a maximum depth of 75 metres, width of 17 metres and a 20 metre road frontage from which the proposed dwellings would gain access. The site is bounded to the north east by Cwrt Sart Comprehensive School to the south west by Cwrt Sart Congregational Church and to the east by the rear gardens of dwellings fronting Tyla Road.

The main issues for consideration with regard to this application relate to the acceptability of the proposed dwellings at this location with respect to prevailing policies, visual and residential amenity in addition to highway safety.

In terms of policy, the site is located within the designated settlement limits for the area as set out in the Neath Port Talbot Deposit Draft Unitary Development Plan. Policy H3 allows for infill and windfall residential development within these defined limits. Policy H3 of the Neath Borough Plan also supports infill development within the settlement boundary.

As stated earlier in the report the proposed development reserves all matters except access. As such there are no design details available, however an indicative plan is submitted showing two dwellings located within the site (the original application was for three). Whilst the two dwellings shown on the illustrative plan appear to be too large and fail to satisfy the minimum separation distances, it is considered that the site is sufficient in size to accommodate two smaller sensitively designed dwellings which would have no adverse impact upon the residential amenity of the residents in adjacent dwellings. Furthermore, due to the location of the site it is considered that there will be no adverse impact upon the character or appearance of the street scene.

Turning to highway safety, the Head of Engineering and Transport (Highways) forwards no highway objections with regard to the proposed access details, the width of the proposed access is of an adequate standard

and visibility/site lines conform to adopted standards. It is therefore considered that the proposal will not compromise highway and pedestrian safety.

With regard to the letters of objection, a number of issues have been addressed in the report. The application is only in outline and details relating to siting and design are reserved for subsequent approval. At the reserved matters stage, plans will be available to view by members of the public and an assessment can be made in relation to any impact on light and privacy at that time. The land to the rear of number 8 Tyla Road is shown as edged red on the application and the appropriate ownership forms have been signed. Any dispute regarding this area of land is a private matter between the individuals concerned as is the matter of land purchase. With regard to the privacy of the school, conditions can be imposed with regard to suitable boundary treatment in order to avoid any privacy issues. Concerns are raised with regard to the impact of additional on street parking, it is considered that the site can accommodate adequate off street parking facilities for the proposed dwellings, and as such the Head of Engineering and Transport raises no highway objection.

In conclusion, the proposal represents appropriate infilling consistent with the relevant development plan policies and will safeguard the amenities of neighbouring residents, visual amenity and highway safety. Approval is recommended.

**RECOMMENDATION:** Approval subject to conditions.

**CONDITIONS;**

(1) Approval of the details of the siting, design and external appearance of the building(s) and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application was made for outline planning permission.

(2) Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application was made for outline planning permission.

(3) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

(4) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

(5) This consent shall relate to the amended plans with respect to access received on 6/11/2006.

Reason

In the interest of clarity.

(6) Unless otherwise agreed in writing with the Local Planning Authority the development shall be connected to the main sewerage system prior to the occupation of each associated dwelling.

Reason

In order to ensure the provision of adequate foul drainage.

(7) Adequate provision, in accordance with a scheme to be first submitted to, and approved in writing by, the Local Planning Authority, shall be made for the drainage of the land. Such scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected. The scheme shall be implemented prior to the occupation of each associated [the] dwelling/s.

Reason

To ensure satisfactory drainage.

(8) Prior to the occupation of the dwelling at least two car parking spaces, three if the gross floor area exceeds 120 sq.m., shall be provided within the curtilage of each dwelling in accordance with a scheme which shall be submitted to and approved in writing by the local planning authority. The approved car parking area(s) shall be retained as such and thereafter not be used for any purpose other than vehicle parking.

Reason

To comply with the requirements of the local planning authority concerning off-street car parking in the interests of amenity and highway safety.

(9) Prior to work commencing on the construction of any dwelling the access shall be constructed in accordance with the plan dated 06/11/06 which shall be hardsurfaced for the first 12.0 metres in tarmacadam, concrete or block paving.

Reason

In the interests of highway safety.

(10) Prior to any work commencing on the construction of any dwelling a vehicular footway crossing shall be provided.

Reason

In the interests of highway safety

(11) Any gates erected shall be set back a minimum distance of 6.0 metres (measured back from back edge of footpath) and open inwards only.

Reason

In the interests of highway safety.

(12) Any shared drive shall have a minimum width of 4.5 metres and a single drive shall have a minimum width of 3.2 metres.

Reason

In the interests of highway safety

(13) The development hereby permitted shall be provided with means of enclosure to all property boundaries. Prior to the commencement of work on site details of all means of enclosure and screen walling or fencing



shall be submitted to and approved in writing by the local planning authority. These means of enclosure shall be implemented as may be approved prior to the occupation of any associated dwelling.

**Reason**

In the interests of the visual amenity of the area and the amenities of the occupiers of proposed and existing dwellings.

<b><u>ITEM 1.3</u></b>	
<b><u>APPLICATION NO:</u> P/2006/873</b>	<b><u>DATE:</u> 19/06/2006</b>
<b>PROPOSAL: AGRICULTURAL BUILDINGS FOR STORAGE OF HAY ETC AND FOR CATTLE AND SHEEP</b>	
<b>LOCATION: TYN Y CWM FARM, PONTARDAWE, SWANSEA SA8 3EY</b>	
<b>APPLICANT: PHILLIP HOPKINS</b>	
<b>TYPE: Full Plans</b>	
<b>WARD: Rhos</b>	

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Northern Lliw Valley Local Plan:

Policy EQ 4 Green Wedge

Deposit Draft Unitary Development Plan:

Policy ENV 1 Development within the countryside.

Policy ENV 2 B(i) Green Wedge.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

Application L94/22 Tipping to upgrade land – refused 23/3/1994

Appeal NPTA014 – Dismissed – 8/11/1996

Application P/2000/676 - restoration programme – Approved  
23/3/2003

Application P/2003/167 – Restoration scheme – approved 28/3/2003

Application P/561/2003 – Continuation of tipping - refused 17/6/2003

#### **d. Responses to Consultations**

Number of properties consulted: 2

Site notices displayed

Number of replies received:22

The objections can be summarised as follows;

- 1) Concern about large buildings in an area that is a green wedge and which would be a blot on the landscape, and the area will become an industrial estate..
- 2) Another large building would attract more heavy traffic.
- 3) Consistency in decision making.
- 4) Will use the shed for non agricultural uses.
- 5) No justification for new shed as applicant has little livestock less than 20 cattle and fifty sheep and stores hay in plastic bags on trailers on site.
- 6) The present building and its extension is used for the repair of plant and vehicles, the new building will be used to increase this use.
- 7) Detrimental effect on the village of Rhos.
- 8) Greater effort should be made to integrate the building into its surroundings, the building too close to existing buildings and too close to lane.

Cilybebyll Community Council: Objects on the grounds that there is insufficient justification for a second barn on agricultural grounds, a limited agricultural holding which is not intensively farmed and appears to be used for non-agricultural purposes. The proposed design and scale, effectively a large industrial building, inappropriate in the countryside location and intrusive within the landscape. The council suggests that the authority continue to monitor the site of the farmholding for non agricultural uses.

Head of Engineering and Transport (Highways): No objections.

## **APPRAISAL**

The application seeks permission for the construction of an agricultural building to be used for the storage of livestock and hay on an area of land forming part of Tyn y Cwm Farm Rhos.

The holding is located to the south east of the settlement boundary of Rhos, the applicant confirms that the total area farmed is approximately 71 hectares (175 acres), and consists primarily of grazing land. The application site lies adjacent to the southern boundary of the farm, north of Tyn Y Cwm Lane, from which there is an existing access. An existing agricultural building is located within 30 metres of the application site.

The site comprises an area of made up land which has been the subject of tipping with inert material over a number of years and is at present used as a hardstanding. The site, which is relatively level, is bounded to the south by Tyn y Cwm Lane, between the lane and site is a dense mature hedge between 4 and 5 metres in height.

The proposal involves the construction of a building for the accommodation of livestock and storage of silage/hay, and which measures 30 metres in length by 15 metres in width giving a total floor area of 450 square metres. Maximum ridge height is shown as 6.8 metres. The proposed barn is of steel frame construction with slatted timber boarding to the sides and brown coated aluminium roofing with GRP translucent roof lights at 6 metre centres. Doors to the east and west elevations measure 5 metres in width by 4.3 in height. The proposal is less than 465 square metres in floor area, the main issues to be considered therefore in dealing with the application are the design and siting of the building and the impact on the surrounding area and the impact upon residential and rural amenity.

For the purposes of the Northern Lliw Valley Local Plan, and the Neath Port Talbot Unitary Deposit Draft Development Plan the site lies within open countryside within an area designated as a Green Wedge. The relevant Policy EQ 4 of the Northern Lliw Valley Plan states that developments related to agricultural use will, in principle be appropriate within areas. The essential criteria will be the physical and visual impact of the development on the rural environment. This policy is supported by Policy ENV 1 of the Neath and Port Talbot Deposit Draft Unitary Development Plan .

With respect to the visual impact, the barn is located on a relatively flat site not easily visible from the main Neath Road or from the village of Rhos approximately 450 metres away, the impact is considered to be minimal in terms of visual impact from the main areas of population. The location, within close proximity to existing buildings is more preferable as the barn will be viewed in conjunction with the existing buildings rather than as sporadic development within a single farm holding. A farm dwelling lies within 100 metres of the development further non agricultural dwellings lie to the south east between 300 and 400 metres. It is considered in view of the distance involved to the nearest dwelling the proposed development will not have no significant harm on residential amenity in terms of visual impact noise or smell.

The form, scale, general design and finish are considered to be in keeping with their surroundings and appropriate for the purpose of the building.

The applicant has stated that there is a need for a further building on the holding to accommodate livestock and storage of hay. A consultation has been undertaken in order to assess the requirement for further agricultural buildings with a agricultural consultant and whilst there is an existing building within close proximity to the proposal this is presently used for the storage and maintenance of farm vehicles. The consultants conclude that this building could not be used for the storage of hay or accommodation of livestock due to Health and Safety issues. The consultant further supports the construction of another building on the site, the basis of accommodating cattle in winter so that they can be fed adequately and thrive indoors, but moreover not damage the land through poaching and compaction of the peaty and clay soil, which is poorly draining and suffers in winter from being very boggy. The cattle numbers support the size of the shed together with the storage of hay, which would be produced in good years with a reduction in the production of wrapped forage. The 40 Cows and progeny are registered pedigree Welsh Blacks and would therefore attract a higher premium at sale than that of commercial cattle and require extra care to ensure the same”.

The consultant goes on to conclude that the tractors and implements within the existing storage building would require repair to include welding and as such would not be suitable for housing livestock, hay and other conserved forage. In addition if cattle are not housed during winter months, this grade 4 land would be susceptible to poaching (trampling of grass in wet conditions not allowing re growth) and compaction of the peaty, clay soils thereby reducing the productive capacity of the land. As

a result the agricultural consultant recommends that the principle of an additional agricultural building on this holding is acceptable.

Objections have been received with regard to the proposed development, a number of which relate to the alleged use of the existing building for vehicle and plant repair. Members should be aware that this matter has been subject to previous enforcement actions and is presently being monitored, but the alleged unauthorised use of the existing building is not of material consideration to the present proposal which must be dealt with on its merits. It is considered that the proposed location is acceptable being in close proximity to existing buildings and will therefore have little adverse affect on the open nature of the countryside.

The proposed building, whilst being located immediately adjacent to Tyny Cwm Lane, is nevertheless screened to a significant degree from the highway by the existing hedge which is some 4-5 metres in height and therefore the visual impact of the proposal from the closest public vantage point is greatly reduced. In respect of traffic generation it is not envisaged that the construction of a barn for agricultural uses will create a significant increase in heavy goods vehicles. The Head of Engineering and Transport has offered no objections to the proposal. The justification for the proposal is outlined above. Concern has been expressed as to the future use of the building, and it is considered this can adequately be controlled by the imposition of relevant conditions restricting the nature of the use. With regard to consistency, the present application lies within an area where proposals for agricultural buildings may be allowed, and each application is dealt with on its merits.

In conclusion it is considered that the proposal is acceptable in terms of visual and residential amenity and will not have a significantly harmful affect on the level of visual amenity within the Green Wedge of upon residential amenity of the surrounding area. The proposal therefore complies as the prevailing planning policies and approval therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the visual amenity of the area.

(3) The development hereby permitted shall be used for the accommodation of livestock and storage of hay and animal feed and for no other industrial, commercial or business use.

Reason

In the interests of clarity

<b>ITEM 1. 4</b>	
<b>APPLICATION NO: P/2006/929</b>	<b>DATE: 19/06/2006</b>
<b>PROPOSAL:</b>	<b>DEVELOPMENT OF PLOTS 14 AND 15 - RESIDENTIAL</b>
<b>LOCATION:</b>	<b>LAND OFF, CHURCH ROAD, SEVEN SISTERS, NEATH</b>
<b>APPLICANT:</b>	<b>RAYDEN CONSTRUCTION</b>
<b>TYPE:</b>	<b>Full Plans</b>
<b>WARD:</b>	<b>Seven Sisters</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan.

H4 - Housing land  
H8 - Character and amenity of housing  
E67 - Scale of new development  
T26 - Highway safety

Neath Port Talbot Deposit Draft Unitary Development Plan.

GC1- General Considerations.  
H3- Infill and windfall development.  
T1- Location, layout and accessibility.  
T10- Parking.

### **b. Other Policies**

None

### **c. Relevant Planning History**

89/055 Outline planning granted for residential use 30/3/89  
01/1425 Full planning permission granted 7/5/02 for two pairs of bungalows.  
04/0744 – 6 semi detached bungalows – Approved 10.8.04



#### **d. Responses to Consultations**

Number of properties consulted: 9

Number of replies received: 0

Statutory Consultees:

Head of Engineering and Transport (Highways): No objections subject to conditions.

Welsh Water – Objections

Seven Sisters Community Council: No reply, therefore no observations to make.

Head of Engineering and Transport (Drainage): No objections.

Environment Agency – No objection

#### **APPRAISAL**

This is a full application for the construction of a pair of semi detached bungalows on land at Church Road, Seven Sisters, Neath.

The application site comprises flat low-lying grassland to the east of the War Memorial and the Fire Station. Land to the north and east are open fields of grassland. The site fronts to the access road to the development, which is under construction for which planning permission has been granted (i.e. P/2001/1425 for three semi-detached bungalows).

The application site is considered as being located within the existing settlement boundary and acceptable in policy terms, as an infill site. In the consideration of the full details of the proposed bungalow, the issues are those of visual amenity, residential amenity and highway safety.

The design and external appearance of the proposed bungalows are similar to the recently constructed bungalows which form part of this development. The pair of bungalows consists of one three bedroom and one two bedroom unit each with a kitchen bathroom, and lounge. The dwellings are screened from the adjoining properties by a proposed 1.8m

high close boarded fence. In amenity terms, the proposed dwellings are considered to be acceptable, and do not materially impact upon the amenity of adjoining properties. The proposals also comply with the Authority's guidelines with respect of overlooking distances.

The Head of Engineering and Transport (Highways) has no objections subject to conditions and as such highway safety will not be compromised by the proposed development.

An objection to the development has been received from Dwr Cymru Welsh Water. They state that the proposed development would overload the existing public sewerage system. Improvements are planned within Dwr Cymru Welsh Water's Capital Investment Programme during 2008. They consider any development prior to improvements being undertaken to be premature, and therefore object to the development. A condition has been suggested that none of the buildings be occupied until essential improvements have been undertaken. This work is scheduled for completion by 1<sup>st</sup> April 2008.

In relation to the actual affect of the restricted number of dwellings that could be accommodated within the site, no specific details have been provided or to the nature of the existing problem or what is required to remedy it. It should be noted that the application site gained outline permission in 1989, but was not implemented. In view of the size of the catchment area, it is considered that the 2 additional dwellings would be unlikely to have such an impact upon the capacity of the foul water system that would justify a refusal.

In conclusion it is considered that the proposed pair of bungalows will result in the introduction of development in accordance with the prevailing planning policies without adversely affecting the character of the streetscenes, amenities of neighbouring residents or highway safety. Approval is therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garages or outbuildings shall be erected (other than those expressly authorised by this permission).

Reason

In order to safeguard the amenities of the area by enabling the local planning authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the estate.

(3) The materials to be used in the construction of the external surfaces of the proposed dwellings shall match those used in neighbouring bungalows.

Reason

In the interests of visual amenity.

(4) Prior to the commencement of any work on the dwellings the cul-de-sac is to be completed up to and including bindercourse level as per the approved plans.

Reason

In the interest of highway safety.

(5) Prior to occupation of either dwelling a surfaced and lit footway is to be provided between the dwelling and Church Road.

Reason

In the interest of highway and pedestrian safety.

(6) Prior to occupation of any dwelling the car parking provision shown is to be provided with each drive/parking area being hardsurfaced in concrete, tarmacadam or block paving.

Reason

To provide adequate car parking facilities

(7) Prior to occupation of the last dwelling the cul-de-sac is to be completed in accordance with the approved plans including surface course to footway and carriageway.

Reason

In the interest of highway safety

(8) Drive/parking area gradients are not to exceed 1 in 9 and a plan showing spot heights at back of footway and back of parking space is to be submitted to and approved by the Local Planning Authority prior to any work commencing on the dwellings and the drives constructed to the approved levels.

Reason

In the interests of highway safety.

(9) Each dwelling is to be provided with two off-street parking spaces and these spaces are to be retained in perpetuity for use for car parking only.

Reason

To provide adequate car parking facilities

(10) Prior to commencement of any work on site schemes for surface water drainage of the highway and street lighting are to be submitted to and approved by the Local Planning Authority and completed on site in accordance with the approved plans.

Reason

In the interests of highway safety.

(11) Pedestrian vision splays of 2.4m by 2.4m (measured back from back of footway) shall be provided each side of the shared drive, which shall be hardsurfaced as part of the footway and retained as such thereafter.

Reason

In the interest of highway safety.

<b>ITEM 1.5</b>	
<b>APPLICATION NO: P/2006/1057</b>	<b>DATE: 20/07/2006</b>
<b>PROPOSAL:</b>	<b>ERECTION OF A NEW SINGLE STOREY CHURCH</b>
<b>LOCATION:</b>	<b>CHURCH OF HOLY TRINITY, FAIRWAY, SANDFIELDS, PORT TALBOT SA127HG</b>
<b>APPLICANT:</b>	<b>P.C.C. OF HOLY TRINITY</b>
<b>TYPE:</b>	<b>Full Plans</b>
<b>WARD:</b>	<b>Sandfields West</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan**

Port Talbot Local Plan  
E2- Appearance of built up areas.  
T11- Parking.

Neath Port Talbot Deposit Draft Unitary Development Plan.  
GC1- General Considerations.  
T1- Location, layout and acceptability of new proposals.  
T10- Parking.

### **b. Other Policies**

None.

### **c. Relevant Planning History**

06/115 Outline residential development including means of access to be considered elsewhere on this agenda.

### **d. Responses to Consultations**

Number of properties consulted: 21

The application was also advertised on site.

Number of replies received: 0

## Statutory Consultees:

Head of Engineering and Transport (Highways)- No objection, subject to conditions.

Head of Engineering and Transport (Drainage)- No Objection, subject to conditions.

Glamorgan Gwent Archaeological Trust- No objection.

Wales and West Utilities Apparatus not affected.

Dwr Cymru Welsh Water- No Objection, subject to conditions.

Environment Agency- No Objection.

## **APPRAISAL**

This full application seeks consent for the erection of a new Church at Fairway, Sandfields, Port Talbot. Members will be aware that a concurrent applicant has been made for residential development at the site of the existing church. For clarity both application have been put forward for determination together.

The site has a frontage onto Fairway, lying at the junction of the access to the existing church, and further residential dwellings. It has an average width of 11m, widening out to 22m at the rear, and an average depth of 40m. It is relatively level and currently serves the existing property of Holy Trinity House, with amenity space and outbuildings currently enclosed within a low brick wall and fence line.

It is proposed to erect the church at the frontage of the site, with off street car parking provided to the rear, off which the existing garage serving Holy Trinity House will gain access. The church provides a one off modern design to fit this restrictive site, and generally measures 10.4m wide by 21.4m in length to its greatest extent. Its irregular footprint shows a roughly triangular form fronting Fairway, providing ancillary uses such as storage, W.C. and entrance porch, with a central core providing the main church seating (80 seats), and a rear projection which encloses the alter, and rises to provide a bell tower feature, adjacent to the rear car park area.

The main building is provided with a ridged roof, with the ridge running perpendicular to the street frontage, it bisects the building, rising in height

to link into the feature tower. From Fairway the building rises up from 4.1m to 7.5m over a distance of some 18m. At the rear the feature tower rises to 10.6m, with a curved element rising to a maximum point of 14m. Windows are proposed on the side elevations of the church. These are high level within the main seated area, and to the ancillary uses to the front section of the building facing towards Holy Trinity House. However to further safeguard amenities of neighbourly residents these windows could be obscure glazed to prevent overlooking or loss of privacy to the adjoining property. The proposed finish to the building will be render, with an artificial slate roof.

Off street car parking spaces to serve the church are proposed to the rear. The car park will accommodate 8 spaces. Access to this is gained via the existing access road to the site.

Material considerations in this case relate to the development of a church at this site in land use terms, impacts of the design and siting upon the existing street scene and local character, the amenity of adjoining properties, and the impact upon highway and pedestrian safety.

In respect of land use and Policy the site is located within a built up predominantly residential area, although a local shopping area isolated within close proximity to the site. The site is not specifically allocated for any use, however Policy E2 within the Port Talbot local plan recommends a general need for an improvement of built up areas, and Policy T11 requires development to provide adequate car parking facilities in line with standards.

The Neath Port Talbot Deposit Draft Unitary Development Plan, again sets out general policies for development including GC1, which sets out a need for good design and layout, together with highway and pedestrian safety needs. In addition Policy T1 refers to the acceptability of new development in reference to location, layout and design, and Policy T10 refers to parking.

It is considered that the use of the site for a community/ religious use would not provide an incongruous one within this general area, especially since the church will replace a large existing church. As a result the proposal would provide an appropriate use at this site.

Turning to design and the visual amenity of the area as a whole, it is considered that the restrictive site, and function of the proposed building lead the way in determining the overall shape and aspect of the building. Taking this into consideration the proposed building also references the

general form of ecclesiastical buildings of the past, retaining a nave and chancel separation with a form of bell tower providing a landmark feature which will be visible within a wider area. In street scene terms, the proposed siting and form do not significantly affect the two storey traditional architecture of the linear developed frontage of Fairview, providing a building set in a similar line, but rising in height at the rear of the site, and thereby not providing an imposing or overbearing feature along the main highway frontage.

The impact upon the amenity of adjoining properties is considered to be most significant to the donor property at Holy Trinity House, and to some extent the impact of the tower feature upon the existing properties along the access road serving the existing church. In respect of Holy Trinity House, the building bounds the newly created site boundary, and rises to its maximum height of 7.5m some 7m from the main rear elevation of the property. Due to the roof design, this height is reached at a distance of 6m off the shared boundary. The tower feature rising further in height is located to the rear of this and whilst having a diameter of approximately 4m.

The nearest point of the proposed church to the property is within 4m, and there is no doubt that the proposed church will have an impact on the outlook to the south west from the rear of the property, and would likely result in shadowing of the rear garden in the late afternoon. In addition there are windows facing into the garden area of this property, which would require obscured glazing to prevent overlooking and loss of privacy. In normal circumstances it is considered that these matters would be significant enough to warrant refusal of the application, as these impacts would be considered to be unacceptable, and result in a degradation of the amenity that this property currently enjoys. In this case the property is owned and occupied by the Church body, and it is occupied by the Vicar of the church. As this is not likely to alter within the foreseeable future, and that the two uses have a symbiotic relationship the impacts in this case are considered to be acceptable.

In respect of other residential properties in the area, it is not considered that the proposal would result in a significant impact, as there are sufficient distances and screening of overlooking windows, and the impact of the tower feature would likely not have a significant overshadowing impact upon their amenity.

The Head of Engineering and Transport, Highway Section, offers no objection to the proposal, subject to conditions. These would require the



creation and retention of the off street car parking provision, which is considered to comply with the Council's standards in this case.

In conclusion it is considered that the proposed church would provide an acceptable form of development within this residential area, and one which, whilst reflecting its ecclesiastical use, provides a sympathetic addition to this area, in keeping with its overall character and visual amenity. Approval subject to conditions is recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS:**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2)No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the visual amenity of the area.

(3)Prior to the first use of the development hereby approved the off street car parking area shall be hardsurfaced in concrete, tarmac or block paving, lined and provided with means to prevent surface water from flowing onto the public highway, and retained as such thereafter. A minimum of ten off street car parking spaces shall be retained within the curtilage of the property. Notwithstanding the details submitted , and prior to any works commencing on site, a revised car parking layout shall be submitted to and approved in writing by the local planning authority providing 2 disabled spaces within the 10 provided.

Reason

In the interests of Highway and Pedestrian safety.

(4) Prior to any development taking place a scheme shall be submitted to and approved in writing by the local planning authority detailing a kerbed demarcation line between the car park and public highway, including all necessary drainage proposals to prevent surface water from the car park draining onto the public highway, which shall be implemented as such prior to the first use of the church hereby approved.

Reason

In the interests of Highway and Pedestrian safety.

(5) Notwithstanding the details submitted on the plans the windows on the side elevation facing onto Holy Trinity House serving the vestry, and main hall shall be glazed with obscured glass and any opening vent shall be top hinged with the lowest part of the opening a maximum of 1.1 metres above the floor level of that room, and any replacement window or glazing shall be of a similar glazing and type.

Reason

In the interest of the amenities of the adjoining property and the safety of the occupiers of the applicant dwelling.

(6) No surface water or land drainage run off shall discharge directly or indirectly into the public sewerage system.

Reason

In the interests of amenity and to prevent over loading of the public sewerage system.

(7) Unless otherwise agreed in writing with the Local Planning Authority the development shall be connected to the main sewerage system prior to its first use.

Reason

In order to ensure the provision of adequate foul drainage.

(8) Prior to any development taking place a scheme shall be submitted to and approved in writing by the local planning authority for the land drainage, surface water and sewerage disposal for this development and site. The scheme as agreed shall be implemented on site prior to the first use of the development hereby approved.

Reason

In the interests of amenity.

<b><u>ITEM 1. 6</u></b>	
<b><u>APPLICATION NO:</u> P/2006/1140</b>	<b><u>DATE:</u> 14/08/2006</b>
<b>PROPOSAL: VARIATION OF CONDITION ON APPEAL REFERENCE 189 TO PERMIT AN EXTENSION OF HOURS TO INCLUDE WEDNESDAYS (8.00 TO 14.00) FOR A GENERAL MARKET AND SUNDAYS (09.00 TO 15.00) FOR AN ANTIQUES MARKET/CAR BOOT SALE.</b>	
<b>LOCATION: MARKET BUILDING AT, RHEOLA WORKS, RESOLVEN, NEATH SA114DT</b>	
<b>APPLICANT: MR HOWARD REES</b>	
<b>TYPE: Vary Condition</b>	
<b>WARD: Glynneath</b>	

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan:

Policy 12 Location of major retail units.

Policy S 19 Criteria for non town centre retail

Policy T26 Highways.

Neath Port Talbot Deposit Draft Unitary Development Plan:

Policy TRL 3 Out of centre proposals

Policy GC 1 General conditions

### **b. Other Policies**

None.

### **c. Relevant Planning History**

Application 86/490 – Open air market Saturdays 9 to 4 – refused  
24/09/1986

Appeal against enforcement notice – holding of indoor market – appeal upheld – market allowed for one day per week 21/3/1988.

Application 97/1282 – Car park for existing market activities – approved 12/3/1998

**d. Responses to Consultations**

Number of properties consulted: 5

Site notices displayed.

Number of replies received: 0

Statutory Consultees:

Glynneath Town Council: No reply therefore no observations to report.

Head of Engineering and Transport (Highways): No objections subject to conditions.

Environment Agency: No objections.

**APPRAISAL**

This application seeks permission for the variation of a condition, which limits the holding of a market to once a week at the Rheola works site and was imposed by the inspector after a successful appeal against an enforcement notice (Appeal ref. A189) The present general market is held on Saturdays, the application is for an extension of hours to include half day on Wednesdays (08.00 to 14.00) for a general market and on Sundays (09.00 to 15.00) for a car boot sale and antiques market.

The application site consists of a large brick building situated within a former industrial area known as the Rheola works, located to the north of the B4242, Glynneath Road. The building which covers approximately 6400 square metres is located some 150 metres from the entrance to the site and to the rear of a purpose built car park which serves the present market. The site lies adjacent to an area designated in the Unitary Development Plan as suitable for use classes A2,B1 and B2.

The present market has been in operation since November 1986 and established as a result of an appeal against an enforcement notice issued by Neath Borough Council. The present application proposes to operate the building as a market for a further half day while a car boot sale will operate on a Sunday. The main issues for consideration are therefore the impact and likely effect of the increase in the use of the market at Rheola upon the vitality and viability of the district and local shopping centres and harm to highway safety.

In the context of the current development control policy framework. The site lies within open countryside, although it is a former industrial building which has previously been granted permission for a market on a Saturday only. For the purposes of the Borough of Neath Local Plan and the Neath and Port Talbot Unitary Development Plan (Deposit Draft). Policies E55 and ENV 1 apply. Both policies presume against development within the countryside unless it complies with certain criteria. With regard to retail issues Policy S12 of the Borough of Neath Local Plan and Policy TRL 3 of the Neath Port Talbot Unitary Development Plan (Deposit Draft) apply, both policies presume against out of town shopping centres.

It is considered that because of the nature of the proposed markets, a general market on Wednesday mornings and a car boot sale and antique market on Sundays, together with its distance from Neath and other town centres it will result in little additional harm on the vitality of any town centre. The present market has been in operation for approximately twenty years with no evidence as to any adverse effect on the viability of any town centre.

Whilst the policies quoted above, relate to large retail developments, it is considered that a market is of different nature to a permanent superstore, both in the type of goods sold and service provided. Furthermore the operation of the market for an additional day and a half per week (a total of 12 hours opening) would not have a marked effect on the vitality and viability of Neath or any other Town Centre.

At the appeal regarding the enforcement notice which was served on the applicant in 1988, the Inspector permitted the operation of the market for one day a week. The inspector's report concluded that with regard to the local Structure Plan policies, although a market on one day a week may be described as a retail outlet it is of quite a different nature from a permanent superstore. The sale of food and clothing at the market may be contrary to the intentions of policy but the scale and type of selling at

Rheola would not materially damage those existing shopping centres which the policies have been drawn up to protect. It was considered at the appeal that the ridged application of policies to the market were inappropriate in this case. Whilst it is acknowledged that the operation of the general market for a further half day a week and a car boot sale/antiques market on a further day will intensify the use of the premises, it will continue to operate differently from a permanent superstore and as such is not considered to be contrary to the general thrust of the retail policies within the development plans.

The Head of Engineering and Transport (Highways) has expressed concern regarding the possibility of parking on each side of the access and has recommended an extended traffic regulation order. Subject to such orders it is considered that the proposal will not further impact upon highway safety.

With respect to the operating times, it is recommended that a condition be imposed that the use be limited to Wednesday 08.00 to 14.00 and Sunday 09.00 to 15.00 in the case of this application. Thus further controlling the intensification of use of the market.

In conclusion it is considered that the principles considered by the Inspector in the determination of the original appeal remain relevant to the present application and that the nature of the markets, a car boot sale and an antique market, for such limited hours as proposed would have no harmful effect on the viability of local shopping centres. Approval is therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) The use hereby permitted shall be limited to between 08.00 and 14.00 on Wednesdays for a general market and 09.00 to 15.00 on Sundays for an antiques market/car boot sale, and all day on Saturdays.

Reason

In the interests of the vitality and viability of the District Centre.

(3) Prior to first implementation of the extended hours hereby permitted a traffic regulation order shall be implemented each side of the access in accordance with a scheme which must first be submitted to and approved by the Local Planning Authority.

Reason

In the interests of highway safety.



<b>ITEM 1.7</b>	
<b>APPLICATION NO: P/2006/1186</b>	<b>DATE: 15/08/2006</b>
<b>PROPOSAL: REMOVAL OF CONDITION 1 OF PLANNING APPLICATION 05/1067 REGARDING ACCESSWAY</b>	
<b>LOCATION: CAER HENDY, CRYMLYN ROAD, SKEWEN, NEATH SA106EG</b>	
<b>APPLICANT: MR I GORVETT</b>	
<b>TYPE: Vary Condition</b>	
<b>WARD: Coedffranc West</b>	

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan  
T26- New development and highway safety.  
E67- The design of new development.

Neath Port Talbot Draft Unitary Development Plan.

T1- Location, layout and accessibility of new proposals.  
GC1- General Considerations.

### **b. Other Policies**

None.

### **c. Relevant Planning History**

P/05/1067- Retention of boundary wall and pillars- Approved- 2/11/05

### **d. Responses to Consultations**

Number of properties consulted: 0  
The application was advertised on site.  
Number of replies received: 0

Statutory Consultees:

Head of Engineering and Transport (Highways)- No Objection,  
subject to conditions.

### **APPRAISAL**

This application seeks consent for the removal of a condition imposed upon a previous planning permission, P/05/1067. This previous permission related to the retention of an existing boundary wall and pillars to the frontage of Caer Hendy, Crymlyn Road, Skewen.

A condition imposed upon that permission stated that;

“The existing accessway shall be closed up within three months of the completion of the main spine road up to binder course level of the development being constructed to the north of the site, the shared drive onto this new access road to the two existing properties shall be constructed and surfaced in concrete, tarmacadam or block paving to a maximum gradient of 1 in 9 and shall be retained as such thereafter.”

The reason this condition was imposed was for highway and pedestrian safety, and has also been imposed upon other planning permission in the immediate area which were approved under separate planning applications, referred to here for clarity.

P/02/433 for a dwelling known as Caer Castell.

P/96/1454 for the property known as Caer Hendy.

The applicant now proposes to retain the access with improved visibility splays. In addition a trigger for construction of the shared drive to serve these properties, providing the link to the new access road was required to be completed to binder course level as part of a planning permission for 11 dwellings on land to the rear, application No P/05/500.

Members will note that requests to remove conditions on all of the aforementioned applications have been submitted to the Authority for consideration.

The material issues for consideration in this case relate primarily to highway and pedestrian safety, and the impact associated with the continued use of this access, together with visual amenity. As part of the application the applicant has provided an alteration to the wall and access

as constructed, and proposes to increase the width and visibility splays to either side. In respect of this the Head of Engineering and Transport, Highway Section offers no objection to the continued use of the access, but subject to these proposed alterations to the wall and access being completed within three months of any permission issued. In respect of visual amenity the alteration to the wall and access provide no significant harm, and would not result in a significant impact upon the character of the area.

In conclusion it is recommended that the condition be removed subject to the completion of the aforementioned works within three months of the date of consent. Approval is therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1) Within three months of the date of issue of this consent the works to the boundary wall and access as outlined on the proposed plan and elevation CHC-101 hereby approved shall be completed in accordance with these details and retained as such thereafter.

Reason

In the interests of Highway and Pedestrian safety.

(2) Nothing over 600mm shall be erected or allowed to grow within the vision plays either side of the revised access hereby approved.

Reason

In the interests of Highway and Pedestrian safety.

<b>ITEM 1. 8</b>	
<b>APPLICATION NO: P/2006/1191</b>	<b>DATE: 15/08/2006</b>
<b>PROPOSAL:</b>	<b>REMOVAL OF CONDITION 9 OF PLANNING APPLICATION 96/1454 REGARDING ACCESSWAY</b>
<b>LOCATION:</b>	<b>CAER HENDY, CRYMLYN ROAD, SKEWEN, NEATH SA106EG</b>
<b>APPLICANT:</b>	<b>MR I GORVETT</b>
<b>TYPE:</b>	<b>Vary Condition</b>
<b>WARD:</b>	<b>Coedffranc West</b>

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan

T26- New development and highway safety.

E67- The design of new development.

Neath Port Talbot Draft Unitary Development Plan.

T1- Location, layout and accessibility of new proposals.

GC1- General Considerations.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

P/06/1454- Dwelling- Approved- 23/12/96

#### **d. Responses to Consultations**

Number of properties consulted: 0

The application was advertised on site.

Number of replies received: 0

Statutory Consultees:

Head of Engineering and Transport (Highways)- No Objection, subject to conditions.

## **APPRAISAL**

This application seeks consent for the removal of a condition imposed upon a previous planning permission, P/06/1454. This previous permission related to erection of a dwelling at Caer Hendy, Crymlyn Road, Skewen.

A condition imposed upon that permission stated that;

“Upon completion of the residential development on the remainder of the lands under the control of the applicant, the use of the vehicular access onto Crymlyn Road shall cease and the means of access shall be gained via the new estate roads. Upon the cessation of the use of this vehicular access, the proposed means of enclosure agreed under condition 3 shall be implemented.”

The reason this condition was imposed was for highway and pedestrian safety, and has also been imposed upon other planning consents at this site details of these separate planning applications are referred to here for clarity.

P/02/433 for a dwelling known as Caer Castell.

P/05/1067 for the retention of a boundary wall and pillars.

The applicant now proposes to retain the access with improved visibility splays.

In addition a trigger for construction of the shared drive to serve these properties, providing the link to the new access road was required to be completed to binder course level as part of a planning consent for 11 dwellings on land to the rear, application No P/05/500.

Members will be aware that requests to remove conditions on all of the aforementioned application have been submitted to the Authority for consideration.

The material issues for consideration in this case relate primarily to highway and pedestrian safety, and the impact associated with continued use of this access, and visual amenity. As part of the application the applicant has provided an alteration to the wall and access as constructed, and proposes to increase the width and visibility splays to either side. In respect of this the Head of Engineering and Transport, Highway Section offers no objection to the continued use of the access, but subject to these

proposed alterations to the wall and access being completed within three months of any permission issued. In respect of visual amenity the alteration to the wall and access provide no significant harm, and would not result in a significant impact upon the character of the area.

In conclusion it is recommended that the condition be removed subject to the completion of the aforementioned works within three months of the date of consent. In addition all relevant conditions imposed upon the original permission will be reiterated. Approval is therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS:**

(1) Within three months of the date of issue of this consent the works to the boundary wall and access as outlined on the proposed plan and elevation CHC-101 hereby approved shall be completed in accordance with these details and retained as such thereafter.

Reason

In the interests of Highway and Pedestrian safety.

(2) The boundary treatments as approved by the local planning authority, and erected on site shall be retained as such, unless otherwise agreed in writing by the local planning authority.

Reason

In the interests of amenity.

(3) The roof tiles for the property shall be slate grey or dark brown in colour only.

Reason

In the interests of visual amenity.

(4) Nothing over 600mm in height shall be erected or allowed to grow within the vision splays either side of the revised access.

Reason

In the interests of Highway and Pedestrian safety.

(5)The existing group of white poplars trees (Populus Alba) located on the western boundary of the site boundary shall be retained. Any works in their vicinity shall be carried out in accordance with the recommendations in BS5837: Trees in relation to construction. This includes the erection of suitable protective fencing as specified in BS5837.

Reason

In order to ensure the protection of trees.

<b>ITEM 1. 9</b>	
<b>APPLICATION NO: P/2006/1195</b>	<b>DATE: 15/08/2006</b>
<b>PROPOSAL:</b>	<b>REMOVAL OF CONDITION 19 OF PLANNING APPLICATION 05/500 REGARDING ACCESSWAY</b>
<b>LOCATION:</b>	<b>LAND TO THE REAR OF :-, CAER HENDY, SKEWEN, NEATH SA106EQ</b>
<b>APPLICANT:</b>	<b>I GORVETT</b>
<b>TYPE:</b>	<b>Vary Condition</b>
<b>WARD:</b>	<b>Coedffranc Nort</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan

T26- New development and highway safety.

E67- The design of new development.

Neath Port Talbot Deposit Draft Unitary Development Plan

GC1- General Considerations.

T1- Location, layout and accessibility of new proposals.

### **b. Other Policies**

None.

### **c. Relevant Planning History**

P/05/500- 11 Dwellings- Approved- 21/7/05

### **d. Responses to Consultations**

Number of properties consulted: 0

The application was also advertised on site.

Number of replies received: 0

Statutory Consultees:

Head of Engineering and Transport (Highways)- No Objection, subject to conditions.



## **APPRAISAL**

This application seeks consent for the removal of a condition imposed upon a previous planning permission, P/05/500. This previous permission related to the erection of 11 dwellings on land to the rear of Caer Hendy, Skewen. A condition imposed upon that permission stated that;

“Within three months of the completion of the main spine road up to binder course level, the shared drive to the two existing properties shall be constructed and surfaced in concrete, tarmacadam or block paving to a maximum gradient of 1 in 9 prior to their occupation and shall be retained as such thereafter.”

The reason this condition was imposed was for highway and pedestrian safety, and has also been imposed upon the planning consents for the original dwellings themselves, approved under separate planning applications referred to here for clarity.

P/96/1454 for the property known as Caer Hendy.

P/02/433 for a dwelling known as Caer Castell.

P/05/1067 For the retention of a boundary wall and pillars.

Members will be aware that requests to remove conditions on all of the aforementioned application have been submitted to the Authority for consideration.

The applicant now proposes to retain the access with improved visibility splays.

The material issues for consideration in this case relate primarily to highway and pedestrian safety, and the impact associated with matters of the continued use of this access, together, with visual amenity. As part of the application the applicant has provided an alteration to the wall and access as constructed, and proposes to increase the width and visibility splays to either side. In respect of this the Head of Engineering and Transport, Highway Section offers no objection to the continued use of the access, but subject to these proposed alterations to the wall and access being completed within three months of any permission issued. In respect of visual amenity the alteration to the wall and access provide no significant harm, and would not result in a significant impact upon the character of the area.

In conclusion it is recommended that the condition be removed, subject to the completion of the aforementioned works within three months of the

date of consent, and written confirmation of this provided to the Authority. In addition all conditions relevant be re-imposed from the original consent shall be re-iterated, and a note added to clarify the possible need for planning permission should the land set out within the previous approval for the shared drive be re-assigned. Approval is therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1)Notwithstanding the provisions of the Town and Country Planning General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or dormer windows (other than those expressly authorised by this permission) shall be constructed.

Reason

In order to safeguard the amenities of the area by enabling the local planning authority to consider whether planning permission should be granted for additional windows, having regard to the particular layout and design of the estate.

(2)No garage shall be converted to residential use unless a scheme for replacement car parking has been submitted to and approved in writing by the local planning authority The scheme shall be implemented prior to the commencement of any conversion works and shall provide for one additional car parking space for each space lost by any conversion works.

Reason

To ensure that adequate car parking provision is maintained within the curtilage of the dwelling in the interest of highway safety.

(3) All construction traffic shall access the site via the hereby approved access off Crymlyn Road.

Reason

In the interests of Highway safety and residential amenity.

(4)No property shall be occupied until a surfaced and lit footway is provided from the property onto Crymlyn Road.

Reason

In the interests of Highway safety.

(5)All driveways shall have a minimum gradient not exceeding 1 in 9.

Reason

In the interests of highway safety.

(6)All drives/parking areas shall be hard surfaced in concrete, tarmacadam or block paving prior to the occupation of each associated dwelling and shall be retained as such thereafter.

Reason

In the interests of highway safety.

(7)Unless otherwise agreed in writing with the local planning authority the development shall be connected to the main sewerage system prior to the occupation of the associated dwelling.

Reason

In the interests of amenity, and to provide adequate foul sewerage.

(8)Foul and surface water discharge shall be drained separately for the site, and no surface water or land drainage run-off shall discharge directly or indirectly into the public sewerage system.

Reason

In order to prevent overloading of the public sewerage system.

(9)Adequate provision in accordance with a scheme to be first submitted to and approved in writing by the local planning authority, shall be made for the drainage of the land and surface water run-off. Such scheme shall ensure that proper of any adjoining land is not interrupted, or otherwise adversely affected. The scheme shall be implemented prior to the occupation of each associated dwelling.

Reason

In order to ensure satisfactory drainage.

(10)Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and

re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a highway, carriageway, shared drive or footpath.

#### Reason

In order to safeguard the amenities of the area by enabling the local planning authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the estate.

(11)No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of development. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

#### Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990.

(12)Prior to the first occupation of any dwelling a minimum of three off street car parking spaces shall be created within the curtilage of the property, and a minimum of three spaces shall be retained for such use thereafter.

#### Reason

In the interests of Highway and Pedestrian safety.

(13)Within 1 month of the date of this consent, full details of the calculations, specifications, material and a landscaping scheme for any retaining structures, and a detailed method statement detailing how the works are to be carried out shall be submitted to and approved in writing by the local planning authority. These works shall be carried out on site in

accordance with these approved details prior to the first occupation of the first dwelling.

**Reason**

In the interests of public and highway safety.

<b>ITEM 1. 10</b>	
<b>APPLICATION NO: P/2006/1242</b>	<b>DATE: 30/08/2006</b>
<b>PROPOSAL: DWELLING AS CONSTRUCTED ON SITE - RIDGE HEIGHT INCREASED FROM PREVIOUS CONSENT DUE TO THE FLOOR LEVEL BEING RAISED</b>	
<b>LOCATION: PLOTS 6 / 7, FFORDD BRYNHEULOG, PONTARDAWE, SWANSEA SA8 4JG</b>	
<b>APPLICANT: MR. &amp; MRS. M HANFORD</b>	
<b>TYPE: Full Plans</b>	
<b>WARD: Pontardawe</b>	

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Northern Lliw Valley Local Plan  
EQ15- Appearance and quality of built up areas.

Neath Port Talbot Deposit Draft Unitary Development Plan  
H3- Infill and windfall development.  
GC1- General Considerations.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

02/1115- Residential- Approved- 22/10/02  
03/1207- Dwelling- Approved- 21/11/03  
05/0548 – Dwelling – Approved – 5.9.05

#### **d. Responses to Consultations**

Number of properties consulted: 3

Number of replies received: 1  
The objections can be summarised as

The objector is not happy with the height of the dwelling.

Statutory Consultees:

Head of Engineering and Transport Services (Highway)- No objections

Head of Engineering and Transport (Drainage)- No objection, subject to conditions.

Dwr Cymru Welsh Water- No objection.

Transco- Apparatus not affected.

Western Power- Apparatus not affected.

Environment Agency- No Objection.

Pontardawe Town Council- No Objection.

## **APPRAISAL**

This is a full application for retention of a detached dwelling on plots 6/7 Ffordd Brynheulog, Pontardawe.

A previous planning permission was granted in 2005 for an identical dwelling on the same site as the current application. The dwelling currently under construction has however been constructed on a slightly higher ground level than the previously approved scheme. This has resulted in an increase the overall ridge height of the dwelling.

The site is located at the junction of Ffordd Brynheulog and Alltacham Drive, and has a frontage of approximately 30m onto each. The application is to retain the two storey detached dwelling on the site, with vehicular access from Bryn Celyn at the rear. The neighbouring property no. 2 Bryn Celyn is a two storey dwelling which sides onto the application site, the other neighbouring property is no. 4 Bryn Celyn which is a bungalow. Both dwellings are sited at a ground level above the application property.

The dwelling is set at an angle in the centre of the site and has a frontage of 11.2m, and a depth of 10m. The dwelling is two stories in height with a

ridged roof rising to 9.1m. Externally windows are predominantly proposed on the front and rear elevations, with decorative gable features proposed on the front elevation, together with a monopitch canopy. Materials proposed include a tiled roof, and facing brick walls.

Internally the dwelling accommodates a hall, study, utility room, kitchen, lounge and dining room at ground floor, with four bedrooms and a bathroom at first floor. In addition a garage is sited below the dwelling, at basement level. It measures 6.7m by 6.4m wide, and is fitted with two folding garage doors to the front elevation.

Access to the garage is gained off Bryn Celyn to the rear, with a drive being constructed along the northern side of the plot turning to the garage, and providing a turning area.

The main issue for consideration with regard to this application relates to whether the slightly increased slab level of the dwelling further impacts upon visual and residential amenities. There are in this case considered to be no further highway safety issues.

The previously approved dwelling was to be constructed at ground level 3.1994 metres below the ground level of no. 2 Bryn Celyn. The siting would have resulted in the ridge height of the new dwelling being 1.8 metres below the ridge level of the neighbouring property. The dwelling as constructed on site has however been constructed 1 metre below the ground level of the neighbouring property, resulting in the new dwelling extending to an overall height of 0.3 metres above that of the neighbouring property, an increase of 2.1 metres. Although there is an increase in ridge height, and it is marginally closer than of the neighbouring property, it does not have a detrimental affect on the street scene, especially given the siting relationship between the two properties and the separation distances of over 10m between the properties.

With regard to the objections received from the neighbouring property it is not considered that the dwelling will have a detrimental affect on the neighbouring property the side elevation of which does not contain any habitable room windows nor will it overbear/overshadow the private amenity space of the neighbouring property.

In conclusion it is considered that the increase in slab level and the consequent overall increase in the height of the dwelling has not detracted from the character of the streetscene or the amenities of neighbouring



residents. The development therefore complies with prevailing development plan policies and approval is recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1) Prior to occupation of the dwelling a one metre wide service strip is to be marked out across the frontage of the plot by means of a sunken edging kerb and/or a boundary wall/fence. This strip is to be retained open for public and statutory undertakers use thereafter.

Reason

To provide an adequate service strip.

(2) Prior to occupation of the dwelling the drive is to be hardsurfaced in concrete, tarmacadam or block pavements to a minimum width of 3.2 metres and maximum gradient of 1 in 9 and maintained as such thereafter and three off-street parking spaces retained thereafter within the curtilage of the property.

Reason

In the interests of highway safety.

(3)The drive is to be located 2.4 metres from the boundary with number 29 and a 2.4 metres by 2.4 metres pedestrian vision splay maintained behind the service strip that side within which nothing over 600mm in height shall be erected or allowed to grow.

Reason

In the interests of highway safety.

(4)Any gates shall be of a type which open inwards only and can be seen through.

Reason

In the interests of highway safety.

(5)Notwithstanding the details submitted on the plans the window on the side elevation serving the master bedroom shall be glazed with obscured glass and any opening vent shall be top hinged with the lowest part of the

opening a maximum of 1.1 metres above the floor level of that room, and any replacement window or glazing shall be of a similar glazing and type.

Reason

In the interest of the amenities of the adjoining property and the safety of the occupiers of the applicant dwelling.

(6) Foul water and surface water discharges must be drained separately from the site

Reason

To protect the integrity of the Public sewerage system

(7) No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage.

Reason

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

(8) No land drainage run off will be permitted either directly or indirectly to discharge into the public sewerage system

Reason

To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(9) The use of the garage shall be restricted to the garaging of private motor vehicles and uses incidental to the use of the associated dwellinghouse only and for no industrial, commercial or business use.

Reason

In the interests of amenity and to clarify the extent of this consent.

(10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garages or outbuildings shall be erected (other than those expressly authorised by this permission).

## Reason

In order to safeguard the amenities of the area by enabling the local planning authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the estate.

(11)Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or dormer windows (other than those expressly authorised by this permission) shall be constructed.

## Reason

In order to safeguard the amenities of the area by enabling the local planning authority to consider whether planning permission should be granted for , having regard to the particular layout and design of the estate.

<b>ITEM 1. 11</b>	
<b>APPLICATION NO: P/2006/1300</b>	<b>DATE: 20/10/2006</b>
<b>PROPOSAL:</b>	<b>TWO DWELLINGHOUSES (OUTLINE)</b>
<b>LOCATION:</b>	<b>LAND ADJACENT TO, 183 GRAIG ROAD, GODRERGRAIG, SWANSEA SA9 2NY</b>
<b>APPLICANT:</b>	<b>RICHARD KING</b>
<b>TYPE:</b>	<b>Outline</b>
<b>WARD:</b>	<b>Godre'rgraig</b>

## BACKGROUND INFORMATION

### a. Structure/Local Plan

Northern Lliw Valley Local Plan  
 Policy H9 – Development within settlements  
 Policy T2 – On site parking provision

Neath Port Talbot Deposit Draft Unitary Development Plan  
 Policy H3 – Infill and windfall development  
 Policy T1 - Accessibility

### b. Other Policies

None.

### c. Relevant Planning History

03/0985 – Two dwellings. Outline permission granted on 30/09/03

### d. Responses to Consultations

Number of properties consulted: 27

Number of replies received: 0

Statutory Consultees:

Ystalyfera Community Council – No comments received therefore no observations to make.

Head of Engineering and Transportation (Highways) – No objections.  
Head of Engineering and Transportation (Drainage) – No objections.  
Environment Agency – No objections.  
Welsh Water – No objections.

## **APPRAISAL**

Outline planning permission is sought for the construction of two dwellinghouses on land adjacent to 183 Graig Road, Godregraig. All matters are reserved for subsequent detailed approval.

The application site is a rectangular parcel of land, 32m wide by a maximum of 50m deep, fronting the northern side of Graig Road occupying a gap between residential development to the west and the primary school to the east. The site is used for grazing purposes and slopes from north to south towards Graig Road with a number of trees along the northern boundary.

Outline planning permission was granted for two dwellings on this plot on September 2003 and the current submission requests this permission be renewed for a further period of three years. All matters relating to siting, design, landscaping and means of access are reserved for subsequent approval.

The main issue for consideration is whether there has been a material change in circumstances since the previous grant of outline permission in 2003.

The site lies within the settlement boundary of Godre'r Graig as identified in both the Northern Lliw Valley Local Plan and the Neath Port Talbot Deposit Draft Unitary Development Plan where new infill development is permitted provided there is no highway, amenity or public service objections and the character of the area is not materially harmed.

From inspection it is considered that the site is of sufficient width and depth to accommodate two dwellings, similar in scale to those surrounding, together with the appropriate off street car parking spaces and access arrangements. Furthermore, there is sufficient land within the cartilage of the application site to accommodate two dwellings without impacting upon the amenities of neighbouring residents.

In conclusion there are no material changes in the planning circumstances relevant to this site since the original outline approval was granted in

2003, and as such the proposal complies with prevailing planning policy whilst also safeguarding the character and pattern of development within the surrounding area, residential amenities and highway safety. Approval is therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS:**

(1) Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application was made for outline planning permission.

(2) Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application was made for outline planning permission.

(3) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

(4) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

(5)The development shall include works for the control of effluent which shall be designed, engineered and maintained in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority to prevent any contaminated surface water drainage from entering a watercourse. The scheme shall be implemented prior to the occupation of each associated dwellinghouse.

Reason

In order to ensure the provision of adequate foul drainage.

(6)Adequate provision, in accordance with a scheme to be first submitted to, and approved in writing by, the Local Planning Authority, shall be made for the drainage of the land. Such scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected. The scheme shall be implemented prior to the occupation of each associated dwellinghouse.

Reason

To ensure satisfactory drainage.

(7)Access to both properties shall be located along Graig Road and not off the side access road to the school.

Reason

In the interest of highway safety.

(8)Prior to the occupation of the dwellings at least two car parking spaces, three if the gross floor area exceeds 120 sq.m. shall be provided within the curtilage of each dwelling in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority. The approved car parking area(s) shall be retained as such and thereafter not to be used for any purpose other than vehicle parking.

Reason

To comply with the requirements of the Local Planning Authority concerning off-street parking in the interest of amenity and highway safety.

(9)Drives shall be a minimum width of 3.2m and maximum gradient of 1 in 9 and shall be hardsurfaced in concrete, tarmacadam or block paviors.

Reason

In the interest of highway safety.

(10) Prior to the occupation of any associated dwelling each property shall be provided with a turning facility in order to ensure all vehicles can enter/leave in a forward gear.

Reason

In the interest of highway safety.

(11) Prior to the occupation of any associated dwelling pedestrian vision splays of 2.4m by 2.4m measured back from back of footway shall be provided each side of each access and maintained so that nothing over 600mm in height shall be erected or allowed to grow within the splay areas.

Reason

In the interest of highway safety.

(12) Any gates shall be of a type, which open inwards only.

Reason

In the interest of highway safety.

(13) The plans and particulars submitted under Condition 2 above relating to landscaping, shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of development. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act 1990.



(14) This permission relates to the amended 1.1250 scale plans received on 20th October 2006.

Reason

For the avoidance of doubt as to the extent of this permission.

<b>ITEM 1. 12</b>	
<b>APPLICATION NO: P/2006/1334</b>	<b>DATE: 11/09/2006</b>
<b>PROPOSAL:</b>	<b>OUTLINE RESIDENTIAL DEVELOPMENT</b>
<b>LOCATION:</b>	<b>LAND ADJACENT TO, 15 HEOL PENTWYN, SKEWEN, NEATH NEATH PORT TALBOTS A10 6DX</b>
<b>APPLICANT:</b>	<b>MR D J M LLOYD</b>
<b>TYPE:</b>	<b>Outline</b>
<b>WARD:</b>	<b>Coedffranc West</b>

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan

H3- Infill and rounding off of settlements.

T26- New development and highway safety.

E67- The design of new development.

Neath Port Talbot Deposit Draft Unitary Development Plan

GC1 Buildings and structures

H3- Infill and windfall development.

T3- New development, parking and access.

R01 Protection of Recreation, Sport Facilities and Open Spaces.

#### **b. Other Policies**

Planning Policy Wales (2002) Paragraph 9.2.12 states that:

“Sensitive design and good landscaping are particularly important if new buildings are to be fitted successfully into small vacant sites in established residential areas.”

Further advice contained in paragraphs 9.3.3 and 9.3.4 warn that insensitive, infilling or the cumulative effects of development should not be allowed to damage an area’s character and amenity. In determining applications local planning authorities should ensure that the proposed development does not damage an areas character and amenity.

### **c. Relevant Planning History**

87/354 – 11 units and playarea Approved 21/9/82

87/434 – Childrens play area Withdrawn 2/9/87

85/734 – 3 dwellings Refused 10/2/86

### **d. Responses to Consultations**

Number of properties consulted: 7

The proposal has also been advertised by means of a site notice

Number of replies received: 3

The objections are summarised as follows:

1. Loss of privacy;
2. The application site is located at a higher level and will have a negative impact on adjacent property;
3. Devaluation of property;
4. The proposal will lead to an over intensification of development for this site;
5. Drainage for the site must be called in question;
6. The site was a former play area;
7. If development is allowed then strict planning conditions need to be attached to the approval with the assurance that one bungalow be built on the site and that suitable landscaping be carried out to ensure privacy;
8. Narrow access means the development must be closely monitored;
9. The development must comply with The planning and compulsory Purchase Act 2004 S38 regarding decisions being made in accordance with relevant development plan policies.

Statutory Consultees:

Coedffranc Community Council – No observations

Environment Agency Wales – No objection subject to standard advisory notes.

The Head of Engineering and Transport Services (Highways) – No objection subject to conditions

The Head of Engineering and Transport Services (Drainage) – Advises that there does not appear to be a suitable public foul sewer, requires confirmation from Welsh Water

Wales and West Utilities –No response therefore no observations to make

Welsh Water – No objection subject to conditions, advises a public sewer crosses the site.

Western Power Distribution – advises on the location of its apparatus

## **APPRAISAL**

Outline planning permission is sought for a residential development on land adjacent to 15 Heol Pentwyn, Skewen. All matters are reserved for further consideration.

The application site consists of an irregular shaped parcel of land located to the east of No. 15 Heol Pentwyn. The site was previously used as a childrens play area but is currently vacant. The site has a depth of 53 metres and a frontage of 3.5 metres to Heol Pentwyn.

Residential properties stand to the south, east and west, and these boundaries are denoted by a close boarded fence. The northern boundary is open. The site slopes gently away from Heol Pentwyn.

The main issues to be considered in the determination of the application are the principle of residential development on the application site, impact upon the residential amenity of the adjacent dwellings, impact on visual amenity, and the impact upon the highway safety of the existing road network.

In the context of the current development plan policy framework the site lies within the settlement boundary limits as defined in the Neath Port Talbot Deposit Draft Unitary Development Plan. Within the Borough of Neath Local Plan, Policy H3 allows for infill and rounding off of settlements. Policy H3 of the Unitary Development Plan also allows for infill or windfall residential development within defined settlement limits, subject to criteria.

Single storey dwellings immediately adjoin the site. As stated above, the proposed development seeks outline permission with all matters being held in reserve. As such, there are no design details available. However, the application site with an average width of some 40 metres, is considered to be adequate in size to ensure that a dwelling could be accommodated on the site without adversely affecting the residential amenities of adjacent dwellings. Although Heol Pentwyn is characterised by a mixture of bungalows and chalet bungalows the site is flanked by bungalows, therefore to ensure a satisfactory street picture any consent should be subject to an appropriately worded condition restricting the dwelling to a single storey design. Such a condition would safeguard the visual amenity of the streetscene in addition to the amenities of neighbouring residents.

The Head of Public and Transport Services (Highways) has confirmed that the proposed development, subject to the imposition of suitable conditions would have no detrimental impact upon the highway safety of the adjacent road network.

Three letters of objection have been received which raise concern with regard to loss of privacy, impact on residential amenity, property values, drainage, over development, previous use, access, design and development plan policies. In relation to the impact of the proposal on the character of the area and residential amenity, these have been addressed above. The Head of Engineering and Transport (Highways) has raised no objection subject to the imposition of conditions. In respect of drainage matters, Welsh Water and the Head of Public and Transport (Drainage) have raised no objections. It is considered that impact upon property values is not a material planning consideration in the determination of the application. The Head of Leisure has confirmed that the play area closed as part of the Council's development strategy and play provision would be made as part of neighbouring Barretts' development and as such the application should be determined in accordance with the above stated policies.

In conclusion, the proposal represents appropriate infilling consistent with the relevant development plan policies, and will safeguard the amenities of neighbouring residents, visual amenity and highway safety. Approval is recommended.

**RECOMMENDATION:            Approval with Conditions**

## **CONDITIONS;**

(1) Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called the reserved matters) shall be obtained from the local planning authority in writing before any development is commenced.

Reason

The application was made for outline planning permission.

(2) Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason

The application was made for outline planning permission.

(3) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

(4) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.

Reason

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

(5) Adequate provision, in accordance with a scheme to be first submitted to, and approved in writing by, the Local Planning Authority, shall be made for the drainage of the land. Such a scheme shall ensure that proper drainage of any adjoining land is not interrupted or otherwise adversely affected. The scheme shall be implemented prior to the occupation of each associated dwelling.

Reason

To ensure satisfactory drainage.

(6) No dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Local Planning Authority in writing.

Reason

In order to ensure the provision of adequate foul drainage.

(7) Any drive shall have a minimum length of 6 metres and a gradient not exceeding 1 in 9 and prior to its first use shall be surfaced in concrete, tarmacadam or pavements.

Reason:

In the interests of highway safety.

(8) Prior to the occupation of the dwelling at least two car parking spaces, three if the gross floor area exceeds 120 sq.m., shall be provided within the curtilage of each dwelling in accordance with a scheme which shall be submitted to and approved in writing by the local planning authority. The approved car parking area(s) shall be retained as such and thereafter not be used for any purpose other than vehicle parking.

Reason

To comply with the requirements of the local planning authority concerning off-street car parking in the interests of amenity and highway safety.

(9) This amount shall be for one dwelling, and the proposed dwelling shall be restricted to a single storey and shall not be a chalet type bungalow.

Reason

To safeguard visual amenity and the amenities of neighbouring residents.

(10) Prior to the occupation of any dwelling a vehicular footway crossing shall be provided in accordance with the Council's Standards and Specifications.

Reason:

In the interests of highway safety

(11) Any gates shall be of a type which open inwards only.

Reason:

In the interests of highway safety.

(12) Foul and surface water discharges shall be drained separately from the site.

Reason:

To protect the integrity of the Public Sewerage system

(13) No land drainage or surface water run off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

Reason:

To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(14) Details of the floor level of the development shall be submitted to, and approved in writing by the local planning authority before work on site is commenced, and the development carried out as may be approved by this condition.

Reason

In the interest of the amenities of the area and to ensure a satisfactory street picture.

(15) Prior to the occupation of any dwelling, any forecourt boundary wall shall be set 2m back from the existing kerbline which shall be kept open and free for public use thereafter.

Reason

In the interest of highway and pedestrian safety.



<b>ITEM 1. 13</b>	
<b>APPLICATION NO: P/2006/1338</b>	<b>DATE: 13/09/2006</b>
<b>PROPOSAL: RETROSPECTIVE APPLICATION FOR MEANS OF ENCLOSURE</b>	
<b>LOCATION: 17 AFANDALE, SANDFIELDS, PORT TALBOT NEATH PORT TALBOTS A12 7BN</b>	
<b>APPLICANT: MR &amp; MRS HAIMES</b>	
<b>TYPE: Householder</b>	
<b>WARD: Sandfields West</b>	

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Port Talbot Local Plan:

R20 Extensions.

T11 Car parking.

Neath Port Talbot Deposit Draft Unitary Development Plan:

GC1 General Considerations.

T1 Location, Layout and accessibility of new proposals.

### **b. Other Policies**

None.

### **c. Relevant Planning History**

93/9135 – Residential development – Approved with conditions (8/7/93)

### **d. Responses to Consultations**

Number of Properties Consulted: 11

Number of replies received: 1

A letter of objection was received, and is summarised as follows:

(1) The wall restricts the opening of the car side-door.

(2) The wall creates a safety issue, as it restricts visibility when reversing the car out of the driveway.

Statutory Consultees:

Head of Public & Transport Services (Highways): No Objection.

## **APPRAISAL**

Retrospective planning permission is sought for the retention of means of enclosure around the front curtilage of a detached dwelling known as 17 Afandale, Sandfields.

The proposal is to retain a means of enclosure at the front of the property. It consists of two walls. The first measures 1m high by 1m wide, and the second wall measures 1m high, and follows the boundary of the property to a length of 15.3m.

The main issues to be considered in the determination of this application are the impact upon the residential amenity of the neighbouring properties, the impact upon the character and appearance of the surrounding area, and the impact upon the highway safety of the existing road network.

In terms of residential amenity, the walls will not cause any unacceptable overbearing, overshadowing or overlooking due to their size and design, so are deemed acceptable.

With regards to visual amenity, the walls do not comply with condition 10 of the original planning permission for the site. This states that “*no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be placed or erected in advance of any wall of a building (including a rear or side wall) which fronts onto a highway, carriageway or footpath*”. The reason for this condition is in the interest of visual amenity - in order to maintain the character of the development, which is designed on an ‘open plan’ principle.

However, following a recent site visit, it was noted that there are a number of existing front boundary walls on properties within the Afandale housing development all of which are constructed from facing brickwork to match the houses and are all restricted in height to approximately 1 metre. From an inspection of these existing walls, it is

considered that they are all fairly recent additions and the owners will be advised to submit retrospective planning applications.

Whilst it is acknowledged that a comprehensive scheme for the enclosure of front gardens throughout the estate would be more preferable, it is considered that the walls which are the subject of this application and to a certain extent the other walls within the estate, incorporate a scale, siting and finish which does not detract from the character of the streetscene.

In relation to the comments raised in the letter of objection received, the Highways Section has raised no objection to the walls. Thus, they do not create any overriding highways safety issues, so are considered acceptable.

In conclusion, the means of enclosure do not have an unacceptable detrimental impact upon the amenities of residents within the adjoining dwellings or upon highway safety. Similarly, although the housing estate is designed as open plan, it is considered that the walls have not resulted in the introduction of an unacceptable feature in terms of visual amenity, given the scale, siting and finish of the wall and its relationship with other existing front boundary walls. Hence the development would be in accordance with the policies of the Council's Development Plan. Approval is therefore recommended.

**RECOMMENDATION:      Approval**

<b>ITEM 1. 14</b>	
<b>APPLICATION NO: P/2006/1346</b>	<b>DATE: 18/09/2006</b>
<b>PROPOSAL:</b>	<b>EXTENSION PROVIDING A GAMES ROOM AND FUNCTION SUITE</b>
<b>LOCATION:</b>	<b>NEATH WORKINGMENS SOCIAL CLUB, 38-42 WIND STREET, NEATH NEATH PORT TALBOT SA11 3HA</b>
<b>APPLICANT:</b>	<b>C/O MR V THOMAS</b>
<b>TYPE:</b>	<b>Full Plans</b>
<b>WARD:</b>	<b>Neath North</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Neath Local Plan

T26 - New development and highway safety

E67 - The design of new development

S15 – Other shopping streets in Neath town centre

Neath Port Talbot Deposit Draft Unitary Development Plan

Policy T1 – Location, layout and accessibility of new proposals

T10 – Parking

TRL1 – Proposal in town centres

### **b. Other Policies**

None

### **c. Relevant Planning History**

86/127 - New lounge and extension to skittle alley – Approved  
14.4.86

P/97/0324- Extension to club – Approved 3.6.97

P/06/0438 – Extension to club – Approved 18.7.06

### **d. Responses to Consultations**

Number of properties consulted: 9

In addition a notice was placed near the site

Number of replies received: 0

Statutory Consultees:

Head of Engineering and Transport (highways) – Recommendation of refusal due to loss of car parking

Neath Town Council – No objections

Head of Engineering and Transport (drainage) – No objections

## **APPRAISAL**

This is a full application for a two storey side extension to the existing Neath Working Men's club located along Wind Street within Neath Town Centre. The proposed two storey extension will extend the frontage of the premises along Wind Street.

Although located within the Neath Town Centre it is not located within the designated shopping area as defined by the Unitary Development Plan or the Neath Town Centre Conservation area.

Members will note that planning permission was granted for an extension to the application property in July 2006. This proposes a slightly larger extension to incorporate the fire escape staircase within the building.

The proposed extension will be set back 0.63 metres from the existing front elevation of the premises. It will extend to a maximum width of 14.727 metres and a depth of 12.6 metres. It will have a hipped roof of a maximum height of 12.01 metres, a similar ridge height to the existing building. The size of the extension has been increased from the previous extension recently granted consent as the fire escape is now included within the extension whereas the fire escape was previously proposed to the side of the extension.

The proposed extension will accommodate a pool/snooker room and lobby area on the ground floor and a function room with kitchen and wc facilities at first floor level. It will be constructed with a combination of finishes including a brickwork plinth, smooth render and tetra boarding with roof tiles to match the existing building.

The main issues for consideration with regard to this application relate to the impact upon visual amenity, the amenities of neighbouring occupiers and highway safety.

The extension will in terms of its size, design and finishes complement the existing building and as such will preserve the character and appearance of the surrounding area and streetscene.

The Head of Engineering and Transport has recommended that the proposed extension be refused on the grounds that the proposed extension will take away parking provision required and approved under previous planning applications. A previous consent indicated a car parking layout for 22 cars and servicing arrangements within the curtilage of the premises. The proposed extension will necessitate the loss of 10 of these spaces. It is claimed that the removal of such parking provision could lead to indiscriminate on-street parking thus being detrimental to pedestrian and highway safety.

It should be noted that the premises are located within the town centre where the parking requirements as set out in the Standing Conference on Regional Policy in South Wales parking guidelines indicate that Places of Entertainment within the Central area only require service arrangements and adequate facilities for the picking up and dropping off of guests to be provided within the curtilage of the site. The servicing arrangements are unaffected by the proposed development. It should also be noted that the premises are situated behind the existing multi storey car park, while to the rear of the premises is an open air public car park. Furthermore planning permission has already been granted for a similar sized extension in July which also resulted in the displacement of parking. The current application will not worsen the parking provision beyond that already approved. It is not therefore considered that the displacement of ten parking spaces will result in indiscriminate parking on the highway.

Notwithstanding the objections received from the Head of Engineering and Transport, in view of the location of the premises within the town centre where there are public car parking facilities adjacent to the site and the fact that there is no requirement set out for on site parking it is not considered that the loss of some of the parking spaces within the curtilage could justify a refusal of consent.

In terms of the amenities of neighbouring occupiers, whilst it is acknowledged that the extension will intensify activities within the social club, the siting of the property within Neath town centre with commercial

properties bounding the site, dictates that it will not adversely affect neighbouring amenities.

In conclusion it is considered that the extension by virtue of its scale, design and siting will safeguard the visual amenities of the application property, and surrounding area together with the amenities of neighbouring occupiers and highway safety. Approval is therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS:**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2)The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

In the interests of visual amenity.

<b>ITEM 1. 15</b>	
<b>APPLICATION NO: P/2006/1365</b>	<b>DATE: 18/09/2006</b>
<b>PROPOSAL:</b>	<b>CONVERSION OF SINGLE DOMESTIC DWELLING INTO 2 FLATS</b>
<b>LOCATION:</b>	<b>9 UPPER COLBREN ROAD, GWAUN CAE GURWEN, AMMANFORD CARMSA18 1HR</b>
<b>APPLICANT:</b>	<b>ATLANTIC PROPERTIES &amp; ESTATES LTD</b>
<b>TYPE:</b>	<b>Full Plans</b>
<b>WARD:</b>	<b>Gwaun-Cae-Gurwe</b>

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan**

Northern Lliw Valley Local Plan  
Policy T2 – on site parking provision

Neath Port Talbot Deposit Draft Unitary Development Plan  
Policy H7 – Subdivision of dwellings  
T1 - Accessibility

#### **b. Other Policies**

None

#### **c. Relevant Planning History**

None

#### **d. Responses to Consultations**

Number of properties consulted: 8

Number of replies received: 6 letters objecting on the following grounds;

- 1) The lack of any off street car parking facilities.
- 2) Upper Colbren Road is already congested with parked vehicles



### 3) Potential loss of surrounding property values

Statutory Consultees:

Gwaun Cae Gurwen Community Council – There is no off road parking facilities at the property.

Head of Engineering and Transportation (Highways) – No objection

Head of Engineering and Transportation (Drainage) – No objections

## **APPRAISAL**

Full planning permission is sought for the conversion of a semi detached dwelling house to two self contained flats at 9 Upper Colbren Road, Gwaun Cae Gurwen.

The application site is a traditional two storey semi detached dwelling fronting the southern side of Upper Colbren Road to the east of the main road through the centre of the village. The street is primarily residential in character with commercial premises and a chapel at its junction with Heol Cae Gurwen.

This full application is for the conversion of the property to provide two self contained, one bedroom, flats. Very minor external alterations are proposed which include the insertion of four mechanical vents in the rear and side elevation to provide ventilation to the ground and first floor proposed kitchen and bathroom. The submitted plans indicate the provision of one off street car parking space across the frontage of the property.

The main issues for consideration are the principle of two flats in this location, the impact upon highway safety, whether the proposal will harm the character of the area and the impact upon the amenities of neighbouring properties.

Policy H7 and T1 of the Neath Port Talbot Deposit Draft Unitary Development Plan are generally supportive of the conversion of existing premises to flats provided the development does not adversely affect the character of the area, the amenities of occupiers of adjacent properties and there is sufficient car parking provision within the curtilage of the site. Similarly Policy T2 of the Local Plan requires all new development to comply with the Council's adopted car parking standards which, for flats, is based on a minimum of 1 or 2 spaces per unit within the curtilage of the property.

Whilst the plans submitted with the application indicate one off street car parking space taking up the whole of the front garden area, there remains a shortfall of at least two off road parking spaces. However Upper Colbren Road has a wide carriageway, is not a classified highway and there are no on street parking restrictions. The amount of traffic generated will be similar to that of a traditional domestic dwelling. Furthermore the South Wales Countries Parking Guidelines requires the same level of parking provision for the two one bedroom flats as is the case for the original dwelling. As a result there is no net increase in demand for parking associated with the proposal and as such the proposal will have minimal impact on highway safety. For these reasons the Head of Engineering and Transport (Highways) raises no objection to the proposal.

In terms of visual amenity, the proposed conversion will not result in any material external alterations to the property and, as such, the proposal will not adversely affect the visual amenity of the property or the street scene. With regards to the amenities of neighbouring residents the proposed subdivision of the property to two self contained flats will not substantially increase the intensification of use of the property and, as such, will not adversely impact upon the amenities of neighbouring residents.

With regards to the issues raised in the letters received, the impact upon highway safety has been addressed while the impact upon property values is not a material consideration in the determination of an application of this nature.

In conclusion the visual character of the street, the amenities of neighbouring properties and impact on highway safety would not be materially harmed by the conversion of the property to two flats. The proposal is considered to be in accordance with adopted and emerging planning policy. Approval is therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) Prior to the occupation of any of the development the car parking space at the front of the property shall be constructed and surfaced in concrete, tarmacadam or paving and made available for use and thereafter retained unobstructed for such a use.

Reason

In the interests of highway safety.

<b>ITEM 1. 16</b>	
<b>APPLICATION NO: P/2006/1367</b>	<b>DATE: 18/09/2006</b>
<b>PROPOSAL: ALLOW ACCESS TO WOODLAND FOR COMMUNITY USE THROUGH THE INTRODUCTION OF FORMAL PATHS, BOARDWALK AND FOOTBRIDGE. INSTALLATION OF SEATING &amp; ARTWORK, REMOVAL OF NON NATIVE INVASIVE SPECIES.</b>	
<b>LOCATION: YNYSDAWLEY PLAYING FIELDS, NANT Y CAFAN, SEVEN SISTERS, NEATH NEATH PORT TALBOTS A10 9EY</b>	
<b>APPLICANT: YNYSDAWLEY PLAYING FIELDS ASSOCIATION</b>	
<b>TYPE:</b>	<b>Full Plans</b>
<b>WARD:</b>	<b>Seven Sisters</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan**

Borough of Neath Local Plan

Policy RL47 – Recreation and Leisure facilities.

Policy RL54 – recreational potential of woodlands

Policy E55 – Development in the open countryside

Neath Port Talbot Deposit Draft Unitary Development Plan

Policy ENV1 – Development in the countryside

Policy R02 – New sport and recreational facilities

### **b. Other Policies**

None.

### **c. Relevant Planning History**

None.

#### **d. Responses to Consultations**

Number of properties consulted: 20

Number of replies received: 0

Statutory Consultees:

Seven Sisters Community Council – No comments received therefore no observations to make.

Head of Engineering and Transportation (Highways) – No comments received.

Head of Engineering and Transportation (Drainage) – No objections.

Environment Agency – No objections.

#### **APPRAISAL**

Full planning permission is sought for the laying of formal paths, footbridge and boardwalk together with seating and landscaping with the Ynysdawley playing fields, Nant Y Cafan, Seven Sisters.

The application site comprises of 0.22ha of woodland to the south of the Ynysdawley playing field and the adjacent Social Club between the rear of residential properties fronting the western side of Dulais Road and the eastern bank of the Afon Dulais.

This full application comprises of the following three main elements;

- 1) the construction of a 1.5m wide by 90m length of internal footpath finished in stone dust extending southwards from the adjacent playing fields leading to;
- 2) a 1.5m wide by 50m length of raised boardwalk constructed of timber with 0.8m high timber handrails on either side leading to;
- 3) a 1.5m wide by 12m timber bridge with 0.8m high handrails on either side spanning a small stream and linking in with a footbridge over the Afon Dulais.

Whilst permission is sought for the provision of seating and artwork, the applicant has failed to provide details of the siting and design of these structures, although this can be controlled by condition.

The main issues for consideration are the appropriateness of the development in this location outside the village and the impact it will have on the woodland setting.

Policy RL47 of the Borough of Neath Local Plan presumes in favour of recreational proposals provided that they do not adversely affect the appearance and character of the area and Policy RL54 recognises the recreational potential of woodland areas. Policy R02 of the Neath Port Talbot Deposit Draft Unitary Development Plan aims to promote sport and recreational facilities throughout the County provided that they are well related to existing settlements and do not have any unacceptable impact on the landscape. Policy ENV1 presumes against development in the countryside unless it can be demonstrated it is necessary for recreational purposes for the local community.

The proposed development will compliment the playing field and play area facilities already provided by the applicants and will be conveniently located adjacent to the village with good access facilities from the road and footpath network. The route of the footpath through the woodland avoids damaging any of the trees. It is therefore considered that the proposed footpaths and associated structures will improve the accessibility of this woodland area to the benefit of the local community.

In conclusion it is considered that the applicants have demonstrated that a location on the outskirts of the village is appropriate and the facility will improve access and awareness of the local environment in accordance with the aims of both adopted and emerging planning policy guidance. Approval is therefore recommended

**RECOMMENDATION:      Approval**

**CONDITIONS;**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2)The adjacent footpath No. 18 shall remain unobstructed at all times.

Reason

In the interest of pedestrian safety.

(3) Prior to commencement of work on site, details of the siting, scale and design of the proposed seating and artwork shall be submitted to and agreed in writing with the Local Planning Authority. The seating and artwork shall be completed in accordance with the agreed details unless otherwise agreed in writing with the Local Planning Authority.

Reason

In the interest of visual amenity.

<b>ITEM 1. 17</b>	
<b>APPLICATION NO: P/2006/1380</b>	<b>DATE: 21/09/2006</b>
<b>PROPOSAL:</b>	<b>MODIFY EXISTING STORM OVERFLOW CHAMBER, AND NEW CONTROL KIOSK AND LANDSCAPING</b>
<b>LOCATION:</b>	<b>LAND ADJACENT TO AFAN TAWE, NR. PONTARDAWE, SWANSEA</b>
<b>APPLICANT:</b>	<b>DWR CYMRU WELSH WATER</b>
<b>TYPE:</b>	<b>Full Plans</b>
<b>WARD:</b>	<b>Pontardawe</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Northern Lliw Valley Local Plan  
EQ15 – Built-up Environment  
T2 – Parking

Neath Port Talbot Deposit Draft Unitary Development Plan  
GC1- General Considerations.  
T1 – Location, layout and accessibility of new proposals

### **b. Other Policies**

None.

### **c. Relevant Planning History**

None.

### **d. Responses to Consultations**

A site notice was displayed on site

Number of properties consulted: 4

Number of replies received: 0



Statutory Consultees:

Pontardawe Town Council – No observations

Head of Engineering and Transport (Highways) – No objection subject to conditions

Head of Engineering and Transport (Drainage) –No reply

Environment Agency – No objection

Dwr Cymru Welsh Water – No objection

Swansea Canal Society – No reply

Glamorgan Gwent Archaeological Trust Ltd – No objections

## **APPRAISAL**

This is a full planning application for the provision of a control kiosk and the provision of a proposed controlled storm overflow chamber on land adjacent to the AfanTawe.

The application site comprises a parcel of land that fronts a public footpath running adjacent to the Afan Tawe. It has a frontage on to the public footpath of 20.4m reducing to a width of 7.2m at its rear boundary. It has a maximum depth of 10.0m. The grassed site slopes gently upwards from the footpath to an overgrown slope that bounds a playing field. The existing below ground cso chamber is located outside the application site and is defined by two man hole covers.

Amended plans have been received from the applicant to address concerns raised from the Environment Agency. The proposal details the provision of a cso chamber, a grasscrete area for a maintenance vehicle and a proposed control kiosk. The application details that the existing ground level will be raised by a maximum height of 0.7m to enable the creation of the cso chamber. The raising of the ground level requires planning permission, but the remainder of cso will be provided below ground level and it should be noted that this element of the proposal is permitted development as welsh water as a statutory undertaker can undertake these works under the Town and Country Planning General Permitted Development Order 1995.

Access to the site is via the car park of Pontardawe Leisure Centre.

The control kiosk is to be situated to the northern corner of the application site on land raised by 1.05m. Finished in a dark green colour it will have the dimensions 1.6m high by 1.5m wide, and a depth of 650mm.

The final element details the provision of a grasscrete area for a maintenance vehicle fronting the footpath. This area will have the maximum dimensions 20.4m by 5.0m.

The main issues for consideration with regard to this application relate to the likely impact upon the character of the surrounding area, the amenities of neighbouring residents and highway safety.

It is considered that the increase in ground level, proposed control kiosk and grasscrete area will harmonise into the local environment without detracting from the character of the area.

By virtue of its isolated location it is considered that the proposal will not have any detrimental impact on the amenities of any neighbouring properties.

With regards to highway and pedestrian safety, the Head of Engineering and Transport (Highways) has no objection subject to conditions. The proposal is therefore considered to be acceptable on highway grounds.

In conclusion, the proposal is considered to be consistent with the relevant development plan policies, and will safeguard the amenities of neighbouring residents, visual amenity and highway safety. Approval is recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) This consent relates to the amended plans dated 20th October 2006.

Reason

In the interests of clarity

(3) No vehicular access to the site shall be obtained during the construction phase between the hours of 8:15 to 9:15 and 15:00 to 16:00 Monday to Friday (or any other approved school start or finish times) and no vehicles shall wait or park up off Ffordd Parc Ynysderw during these hours.

Reason

In the interests of highway and pedestrian safety

(4) Prior to commencement of any work on site a scheme for traffic management from the roundabout on Ffordd Parc, Ynysderw to the site shall be submitted to and approved in writing by the Local Planning Authority to agree traffic management and safety of pedestrians (children) crossing between Cwmtawe Comprehensive School and the Playing Fields/Leisure Centre during the school day.

Reason

In the interests of highway and pedestrian safety

(5) No structure is to be erected within 7 metres of the landward toe of the river defence without the prior written consent of the Local Planning Authority..

Reason

To prevent the increased risk of flooding.

<b>ITEM 1. 18</b>	
<b>APPLICATION NO: P/2006/1412</b>	<b>DATE: 29/09/2006</b>
<b>PROPOSAL: RETENTION OF CHIMNEY TO SIDE ELEVATION (AMENDED PLANS RECEIVED ON 13/10/06)</b>	
<b>LOCATION: 30A CADOXTON TERRACE, CADOXTON, NEATH NEATH PORT TALBOTS A10 8BR</b>	
<b>APPLICANT: G SNOW</b>	
<b>TYPE: Householder</b>	
<b>WARD: Cadoxton</b>	

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan**

Borough of Neath Local Plan:

Policy E67 New Development  
Policy H8 Extensions to dwellings

Neath Port Talbot Deposit Draft Unitary Development Plan:

Policy GC1 New Buildings/Structures and Changes of Use

### **b. Other Policies**

A Guide to Household Extensions

### **c. Relevant Planning History**

93/599 – Car Park Area: Approved – 03/02/1994  
94/680 – Detached Garage: Approved – 13/02/1995

### **d. Responses to Consultations**

Number of properties consulted: 4

Number of replies received: 2 from the neighbouring property

The grounds of objection can be summarised as follows:-

1. Before applying for planning permission the applicant has already built the chimney.

2. The applicant is not burning smokeless anthracite, but burning logs instead. Depending on what logs are being burnt, the fact that the fumes/smoke are not being taken up and away, as the applicant has used a terracotta cowl in the design of the chimney means the smoke has the potential to down-draft potentially carcinogenic fumes.
3. The height of the chimney is not high enough to take away the toxic fumes, which could be coming off the logs that the applicant will be burning.

Statutory Consultees:

Blaenhonddan Community Council: No objection

### **APPRAISAL**

This application seeks retrospective planning permission for the retention of a chimney to the side of a property located at 30A Cadoxton Terrace, Cadoxton, Neath. The site consists of a detached dwellinghouse located in-between neighbouring semi-detached properties.

The submitted plans indicate that the chimney is located to the side elevation which faces the neighbouring property Number 31, Cadoxton Terrace. The chimney has a maximum height from ground level of 6.05m of which 1.3m extends above eaves level, the base of the chimney projects off of the side elevation a distance of 0.45m and has a width of 1.70m. although it decreases in width to 0.55 m for the majority of its height. Externally the materials used are in-keeping with the existing red brick-work of the dwellinghouse.

The main issue for consideration with regard to this application relates to the impact upon residential and visual amenities. There are in this case considered to be no highway safety issues.

In terms of the Development Plan, Policies H8, and E67 of the Borough of Neath Local Plan presume in favour of extension and alterations to dwellinghouses subject to the satisfaction of criteria. These policies are further supported by Policy GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan which outlines general criteria for new developments.

The chimney, due to its scale and height and modest dimension in terms of width and depth, is not considered overbearing with respect to any adjacent premises. There is, therefore, no harm to residential amenity.

Furthermore, it has been constructed from facing bricks to match the facing brickwork used in the existing dwelling and, as such, harmonises with the existing design elements. There is, therefore, no harm to visual amenity or to the character of the area.

Two letters of objection have been received in relation to this application which raises concern with regard to the erection of the chimney without prior planning consent and the height of the chimney and the potential down-drafting of potentially carcinogenic fumes.

With regard the erection of the chimney without prior consent it is noted that the applicant has submitted this retrospective application in order to regulate matters.

With regard the dimensions used in the design of the chimney and its inability to take away toxic fumes as a result of its limited height. It should be noted that the chimney has been built in accordance with Building Regulations.

With regard to the claim that the use of the chimney would result in a smoke nuisance, and, following consultation with the Environmental Health Section it was confirmed that a nuisance does not exist at present and should one exist in the future the Environmental Health department has options to deal with it as such under their remit.

In conclusion, it is considered that the chimney does not adversely affect either residential or visual amenities. Approval is therefore recommended.

**RECOMMENDATION:      Approval**

<b>ITEM 1. 19</b>	
<b>APPLICATION NO: P/2006/1433</b>	<b>DATE: 02/10/2006</b>
<b>PROPOSAL:</b>	<b>TWO STOREY SIDE EXTENSION &amp; CHANGE OF USE TO TWO SELF-CONTAINED FLATS</b>
<b>LOCATION:</b>	<b>1 ENFIELD STREET, ABERAVON, PORT TALBOT NEATH PORT TALBOTS A12 6NN</b>
<b>APPLICANT:</b>	<b>MR D BRIGHT</b>
<b>TYPE:</b>	<b>Change of Use</b>
<b>WARD:</b>	<b>Aberavon</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Port Talbot Local Plan.

E2- Appearance and environmental quality of built up areas.

R20- Amenity of adjoining residents and environment.

T11- Car Parking.

Neath Port Talbot Deposit Draft Unitary Development Plan

Policy 5- Enhancement and protection of the built environment.

GC1- General Considerations.

T1- Location, layout and acceptability of new proposals.

T10- Parking.

### **b. Other Policies**

Standing Conference on Regional Policy in South Wales, Parking Guidelines, Revised Edition 1993.

### **c. Relevant Planning History**

None.

### **d. Responses to Consultations**

Number of properties consulted: 17

The application was also advertised on site.

Number of replies received: 0

Statutory Consultees:

Head of Engineering and Transport (Highways)- No Objection, subject to conditions.

Head of Engineering and Transport (Drainage)- No Objection, subject to conditions.

Dwr Cymru Welsh Water- No Objection, subject to conditions.

Environment Agency- Recommend refusal.

## **APPRAISAL**

This application seeks full planning permission for the construction of a two storey side extension to an end of terrace two storey residential dwelling, and its conversion into two self contained flats.

The dwelling, No 1 Enfield Street, Aberavon, is an end of terrace property, bounded to the side by a lane which extends to the rear of the terrace and serves the rear of properties on both Henshaw Street, and Enfield Street. Henshaw Street run at a right angle to Enfield Street, and the rear of properties 2 to 10 inclusive overlook the side of the application site.

The proposed extension extends to a width of 4.5m at the front, set in line with the main front elevation of the dwelling. This reduces to a width of 2.2m at the rear, the extension follows the existing boundary of the site and the lane. It has a total depth of 7.5m, tying into the main rear elevation of the dwelling. A ridged roof rises to match the existing ridgeline of the terrace, providing a continuation, in design terms, of the terrace form.

Windows are proposed on the front and rear erections, with a ground floor window serving a bathroom to the side elevation, and the external materials will match those used on the existing buildings in the area, currently under external renovation.

Internally the property is to be converted to provide two self contained flats, one to each floor. Each is provided with the usual accommodation and two bedrooms.

The material issues in this case relate to the extension of the property, its design and impacts upon the visual amenity of the area, and the amenity



of adjoining properties, and the impacts of the proposed conversion to flats, and its impacts upon amenity and highway and pedestrian safety. In addition the issue of flooding, and flood risk is also material in this case.

In design terms, the extension whilst reducing in depth at the rear, provides a continuation of the terraced frontage, and therefore appears in street scene terms to continue the building line, and provide an acceptable addition. In respect of the amenity of adjoining properties, there are no windows to the side elevation which would result in an overlooking or loss of privacy. The rear kitchen window at first floor is located in a similar plane as the existing rear windows, and whilst it may have angled views to the rear of properties on Henshaw Street, the distances to habitable rooms is considered to be within guidelines. However, there will be issues of overlooking to the rear gardens of properties on Henshaw Street, and it is therefore recommended that this window be installed with obscured glazing. This is not a kitchen/ diner, and therefore this requirement would not significantly affect the amenity of the future occupier of the flat.

Turning to the conversion, the impacts upon amenity of adjoining properties or the character of the area as a whole are not considered to be significant. The matter of increased vehicular movement, and on street parking are matters that require further assessment. The Head of Engineering and Transport, Highway Sections offer no objection subject to the provision of two off street car parking spaces, within the curtilage of the property. The existing dwelling has no existing off street car parking, and the extension, together with the change of use will create one additional residential unit. Whilst it is acknowledged that this will create the possibility of more vehicular traffic, it is considered that due to the existing on street parking at this property, that only a single additional space is considered necessary in this case. This will both provide a net gain on parking provision at the property, and retain an element of private amenity space at the rear. The creation of two spaces, whilst achievable on site, would result in the loss of the boundary walls, and the loss of amenity space, to the detriment of the occupants of the property.

In respect of flood risk, the Environment Agency, offers an objection to the proposed development, stating that; the site lies within Zone C2, as defined by the Development Advice Maps referred to under TAN 15 Development and Flood Risk. It goes further to state that; “Whilst we acknowledge that this is a change of use from an end of terrace house to two self contained flats and is therefore an existing property, the

development is likely to have ground floor sleeping accommodation and may bring additional people into the flood plain, exposing them to risk.”

Whilst it is accepted that the site lies within Zone C2, due to the existing built up nature of this urban area, and the distance from the watercourse, of approximately 170m, there is likely to be early warning if any flooding were to occur. It is considered that the developer should be made aware of the Zoning of the property, and the possible risk of flooding. However, it is not considered that the application should be refused, as the possible risk is not considered significant in this case.

In conclusion, it is considered that the overall scheme provides an acceptable use and design within this area, and one which, subject to conditions, will not adversely impact upon the amenity of residents within adjoining properties, or the character of the area as a whole. It is therefore recommended that the application be approved.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2)The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

In the interests of visual amenity.

(3) Prior to the first use of the residential flats hereby approved a minimum of one off street car parking spaces shall be provided within the curtilage of the property, and shall be retained for that purpose thereafter.

Reason

In the interest of Highway and Pedestrian safety.

(4)Notwithstanding the details submitted on the plans the window on the rear elevation serving the first floor kitchen shall be glazed with obscured glass and any opening vent shall be top hinged with the lowest part of the opening a maximum of 1.1 metres above the floor level of that room, and any replacement window or glazing shall be of a similar glazing and type.

Reason

In the interest of the amenities of the adjoining property and the safety of the occupiers of the applicant dwelling.

(5)No surface water or land drainage run-off shall discharge directly or indirectly into the public sewerage system.

Reason

In the interests of amenity, and to prevent overloading of the public sewerage system.

<b>ITEM 1. 20</b>	
<b>APPLICATION NO: P/2006/1435</b>	<b>DATE: 03/10/2006</b>
<b>PROPOSAL: BURGER KING DRIVE THRU RESTAURANT WITH OUTSIDE SEATING AND 26 CAR PARK SPACES</b>	
<b>LOCATION: /, THE PRINCESS MARGARET WAY, SANDFIELDS, PORT TALBOT NEATH PORT TALBOTS A12 6QW</b>	
<b>APPLICANT: AMATEX CATERING SERVICES</b>	
<b>TYPE: Full Plans</b>	
<b>WARD: Sandfields East</b>	

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan**

Port Talbot Local Plan

E2 – Appearance and quality of built up areas

RT1 – Tourist and recreation facilities

AS5 – Tourist and Leisure allocation

AS7 – Car parking allocation

T11 – Car parking standards

Neath Port Talbot Deposit Draft Unitary Development Plan

GC1 – General Considerations

EC7 – Criteria for considerations of proposals for tourism facilities and attractions

T1 – Location layout and accessibility of new proposals

T10 – Parking

T11 – Traffic Management

### **b. Other Policies**

None.

### **c. Relevant Planning History**

96/1784 – New leisure development – Approved with Conditions 02/4/97.

98/0018 – New leisure development. Multiplex cinema, restaurant, leisure unit, mixed leisure unit, public house and drive through restaurant – Approved 30/1/98.

P/2006/61 – Bowling/Bingo Hall/Public House/Drive Through Restaurant – Approved 15/03/06.

### **d. Responses to Consultations**

Number of properties consulted: 36

Number of replies received: 0

Statutory Consultees:

Head of Engineering and Transport (Highways) – No objections subject to conditions.

Head of Engineering and Transport (Drainage) – No objections.

Welsh Water – No objections.

## **APPRAISAL**

Full planning permission is sought to erect a fast food restaurant on land at Hollywood Park, Aberafan Sea Front.

The site adjoins Princess Margaret Way which is to the south west, the access road into the Cinema adjoins to the south east and north east and the cinema car park adjoins to the north west. A further restaurant lies on the other corner of the cinema access road and Princess Margaret Way, residential flats lies some 30m to the east and the cinema to the north east.

Planning permission has previously been granted for a drive through restaurant on the application site. This approved scheme formed part of a larger more comprehensive redevelopment proposal for a drive through Bowling Hall and Public House. Whilst the proposed fast food restaurant incorporates a similar siting to that previously approved, its design differs quite substantially. The building in total would be rectangular in shape some 24m long and 16.5m wide with a

curved roof 3m to the eaves with a 2 metre high axis. In the central part of the building a tower feature is proposed 7.5m wide by 10m deep with a maximum height of 7.5m.

An 85 seater dining area is set 3m back from the kitchen/staff area, this is predominately glazed within a powder blue frame. The remaining walls of the building would be finished in white render with natural cedar boarding, gutters, downpipes and glazing and the roof for the whole building be natural colour metal roofing.

The restaurant incorporates a drive through facility and access would be gained off the existing cinema access and traffic would circulate clockwise around the building. An open air dining/seating area would be provided to the rear of the building and a car parking area for 26 cars is also proposed. 1 metre high safety railings around the dining area are proposed to separate pedestrian and vehicular traffic.

In assessing the application the main issues are, the principle of the proposed development, its impact upon visual amenity and its impact upon general amenities and highway safety.

In respect of the principle as stated previously planning permission has been granted on two occasions for a drive through restaurant at this location and the development of this area for tourist facilities is in accordance with planning policy and the Aberafan Seafront Strategy. It is considered therefore that the proposal is in accord with the development plan.

With regards to visual amenity the immediate area is of mixed design with a single storey restaurant alongside, the cinema building, flats, aquadome and a modern style hotel. The recently approved bowling hall and public house are single storey buildings with 'tower features'. The proposed fast food restaurant incorporates a design approach in keeping with the existing buildings and recently approved buildings in the surrounding area, while also using modern materials in accordance with the design aspirations of this prominent site.

In respect of residential amenity, residential flats are some 30m away and in view of the tourist/recreational uses of the adjoining land, together with the single storey design of the proposal, it is considered that the amenities of neighbouring residents will be safeguarded.

With regards to highway safety, the site is serviced off existing access roads and adequate car parking is provided. The Head of Engineering and Transport therefore raises no objections subject to conditions.

In conclusion it is considered that the development is consistent with the aims of providing additional leisure and tourist facilities on the seafront whilst also safeguarding visual and residential amenities in addition to highway safety. Approval is therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS:**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2)No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the visual amenity of the area.

(3)The development shall be connected to the main sewerage system prior to its occupation.

Reason

To ensure the provision of adequate foul drainage.

(4)Unless otherwise agreed in writing with the local planning authority, foul and surface water discharges shall be drained separately from the site and no surface water shall discharge into the public sewerage system.

Reason

To ensure satisfactory drainage.

(5) Prior to the occupation of the buildings and prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardsurfacing shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor and surface water shall not drain onto the highway.

Reason

To prevent pollution to the water environment.

(6) A scheme shall be submitted to and approved in writing by the local planning authority for the kitchen ventilation and cooking odour controls for the building. This scheme, as approved, shall be implemented on site prior to the first operation of any of the building and shall be retained as such and any replacements shall be of similar specification thereafter.

Reason

In the interests of amenity.

(7) Prior to the first occupation of the building the car park shall be hardsurfaced in tarmac, concrete or block paving and clearly marked in accordance with Dwg. 100 Rev D.

Reason

In the interest of highway safety.

(8) Prior to the first occupation of the building, a scheme shall be submitted for approval in writing by the local planning authority detailing the access to the development having a 6.0 metre kerbed radii with a minimum 5.5 metre road width, which shall be implemented as such prior to first occupation.

Reason

In the interest of highway safety.

(9) Prior to the first use of any of the buildings, a scheme for hard and soft landscaping shall be submitted and approved in writing by the local planning authority. This scheme shall be carried out in the first planting season after completion of the development or its occupation, whichever is the sooner and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced



in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of visual amenity.

(10) Prior to their erection, details of all permanent boundary structures shall be submitted to and approved by the local planning authority and erected in accordance with such approval.

Reason

In the interest of visual amenity.

(11) No outside storage shall take place other than in the areas identified on the approved plans unless otherwise agreed in writing with the local planning authority.

Reason

In the interest of visual and general amenity.

<b>ITEM 1. 21</b>	
<b>APPLICATION NO: P/2006/1456</b>	<b>DATE: 05/10/2006</b>
<b>PROPOSAL: VARIATION OF CONDITION 9 OF PLANNING APPLICATION 06/930 REGARDING FLOOR LEVELS</b>	
<b>LOCATION: PLOT 7A, BAGLAN ENERGY PARK, BAGLAN, PORT TALBOT SA127AX</b>	
<b>APPLICANT: USK PROPERTIES LTD</b>	
<b>TYPE: Vary Condition</b>	
<b>WARD: Briton Ferry We</b>	

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan**

Neath Port Talbot Deposit Draft Unitary Development Plan  
EC1 Employment Landbank

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

97/373 Outline Consent Energy Park Approved 3/6/97  
99/466 Ground Reclaim Approved 21/9/99  
00/34 Employment Development Approved 18/7/00  
06/930 Warehouse/Offices approved 19/9/06

#### **d. Responses to Consultations**

Number of properties consulted: 0

The proposal was advertised on site.

Number of replies received: 0

Statutory Consultees:

Environment Agency – No objections  
Briton Ferry Community Council – No reply therefore no observations to make.

## **APPRAISAL**

This is a proposal to vary a condition imposed on a planning permission for a warehouse unit with associated offices on Plot 7A of the Baglan Energy Park. The condition (no. 9) stated “Floor levels of the building shall be set between 6.9m and 7.5m AOD. Reason: To prevent flooding of buildings.” It is now proposed that the condition be changed to read “Floor levels of the buildings shall be set between 6.9m and 8.0m AOD.” The reason for the change in the upper floor level is to allow a gentler gradient from the access point which is at 8.2m AOD.

The site comprises of 1.18ha of vacant land bounded to the west by the Energy Park’s distributor road, to the north by a secondary access road, to the south by the Baglan Brook and to the east by another service road and vacant land. The site is accessed via the northern distribution road which emerges onto the Briton Ferry Roundabout.

The development comprises of a 4,631 sq.metre warehouse with 861m<sup>2</sup> of offices attached.

It is proposed to be used for medical services and it is stated that 65 persons will be employed.

The critical element of the condition as imposed was the 6.9m lower level as this would ensure that the building would not be liable to flooding in extreme circumstances. The higher limit of 7.5 AOD was taken as an average on other slab levels elsewhere on the Energy Park. However, in respect of allowing up to 8.0m this is considered acceptable in view of the surrounding land form, as there would be no adverse affects on visual or general amenity.

In conclusion it is considered that the increase in floor levels will continue to prevent the building from being flooded in addition to safeguarding visual amenity. Approval is therefore recommended.

**RECOMMENDATION:**      **Approval with Conditions**

## **CONDITIONS;**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) Any facilities for the storage of oils, fuels or chemicals shall be on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipes should be detailed to discharge downwards into the bund.

Reason

To prevent pollution of watercourses

(3) Oil / petrol interceptors, trapped gullies and other measures shall be installed to ensure that no contaminated water enters surface water sewers, soakaways or watercourses during both construction and operational phases.

Reason

To prevent pollution of watercourses.

(4) Unless otherwise agreed in writing with the Local Planning Authority all foul and surface water shall be drained separately from the site and no surface water or land drainage shall be allowed to connect to the public sewerage system.

Reason

To prevent pollution of watercourses.

(5) A scheme shall be submitted for the approval of the Local Planning Authority detailing hard and soft landscape works and the scheme

implemented within the first planting season following the occupation of any building, and any trees or plants which within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason

In the interest of visual amenity.

(6) Prior to the construction of any building, samples of the materials to be used in the construction of the external surface of the development shall be submitted to and approved by the Local Planning Authority and development shall be carried out in accordance with the approved details.

Reason

In the interest of visual amenity.

(7) Prior to the commencement of works on site, the developer shall complete noise surveys on site to identify the existing background noise which shall be expressed as a rating level at any noise sensitive property. All measurements and assessments shall be made in accordance with BS 4142 1997. The survey results shall be submitted to and agreed in writing with the Local Planning Authority.

Reason

To protect residential amenity.

(8) Unless otherwise agreed in writing with the Local Planning Authority, operational noise levels shall not increase the pre-existing environmental ambient noise levels as identified by the approved noise survey at any noise sensitive property in terms of LAeq, I.e. be 10dbA below pre-existing ambient noise levels as expressed as LA eq (1hr) for daytime and LA eq (5 min) for night time.

Reason

To protect residential amenity.

(9) Floor levels of the buildings shall be set between 6.9m and 8.0m AOD

Reason

To prevent flooding of buildings.

(10) Details of all means of enclosures shall be agreed in writing with the Local Planning Authority prior to their erection.

Reason

In the interest of visual amenity

(11) Prior to work commencing on site a scheme detailing a 2 metre wide footway along the eastern boundary of the site including the area edged blue on the approved plan (Drwg No. 2267-100 Rev 08) including all necessary streetlighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the building and retained as such thereafter.

Reason

In the interests of highway safety.

(12) Notwithstanding the submitted plans, any gates or barriers erected at the entrance to the car parking area shall be set back a minimum distance of 7 metres from the edge of carriageway and for the loading bay a minimum of 10 metres back measured from eddge of carriageway and shall be retained as such thereafter.

Reason

In the interests of highway safety.

(13) Prior to work commencing on site a scheme for surface water drainage to the car park and service yard to prevent surface water discharging onto the highway, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented on site prior to the occupation of the building and shall be retained as such thereafter.

Reason

In the interests of highway safety

(14) Prior to work commencing on site, full details of the access road to the car park showing a mimimum kerbed radius of 6 metres at its junction with the existing carriageway, shall be submitted to and approved in writing by the Local Planning Authority. The approved

details shall be fully implemented on site, prior to the occupation of the building and shall be retained as such thereafter.

Reason

In the interests of highway safety.

(15) Notwithstanding the submitted plan, full details of the proposed hardsurfaced and lighting of the car park in either tarmacadam, concrete or block paving with the layout of a minimum of 63 spaces of which 3 shall be disabled shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented on site, prior to the occupation of the building, with each parking space clearly marked on site, and shall be retained as such thereafter.

Reason

In the interests of highway safety.

(16) Within 6 months of the first beneficial use of the development the nominated Travel Plan Coordinator shall provide written information regarding the staff surveys and what measures have been implemented from the Travel Plan. The Travel Plan shall then be monitored fully after the 1st, 3rd and 5th year with interim monitoring during the 2nd and 4th year. The Travel Plan shall be ongoing with the continued use of the building with monitoring carried out as above thereafter.

Reason

In the interests of highway safety.

(17) Notwithstanding the submitted plan, prior to work commencing on site a scheme detailing a proposed cycle/motorbike shelter as indicated within the submitted Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented on site prior to the first occupation of the building and shall be retained thereafter.

Reason

In the interests of highway safety.

<b>ITEM 1. 22</b>	
<b>APPLICATION NO: P/2006/1463</b>	<b>DATE: 10/10/2006</b>
<b>PROPOSAL: RAISE ROOF HEIGHT AND REAR DORMER EXTENSION</b>	
<b>LOCATION: 1 ORMES ROAD, SKEWEN, NEATH NEATH PORT TALBOTS A10 6SY</b>	
<b>APPLICANT: GWYN AUBREY</b>	
<b>TYPE: Householder</b>	
<b>WARD: Coedffranc Nort</b>	

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan.  
H8- housing Extensions.

Neath Port Talbot Deposit Draft Unitary Development Plan  
GC1- General Considerations.

### **b. Other Policies**

None.

### **c. Relevant Planning History**

None.

### **d. Responses to Consultations**

Number of properties consulted: 6

Number of replies received: 0

Statutory Consultees:

Coedffranc Community Council- The dwelling will overlook property below, which will inconvenience that property.

## **APPRAISAL**

This application seeks full planning permission for an increase in the ridge height of the existing roof and the introduction of a dormer on the



rear elevation at 1 Ormes Road, Skewen to provide accommodation within the roof space.

The detached property lies within a linear, but elevated line of dwellings, varying in design with detached, semi-detached and terraced properties. The dwelling has a ridgeline running parallel to the road frontage.

It is proposed to raise this ridge line by 1.4m, and to provide a flat roof dormer to the rear elevation. The dormer measures 4.1m in length, set 0.6m in from the eaves line, it has a height of 2m, projecting 2.5m (10m the rear roof plane ). The roof and cheeks of the dormer are to be finished in composite slate. In addition velux style roof lights are proposed on the front plane of the roof.

It is considered that the material issues in this case are the visual impact of the increase in the ridge height upon the existing street scene, and the impacts upon the amenities of residents within the adjoining properties.

In terms of the impact upon residential amenity, the proposed increase in ridge height together with the dormer by virtue of their siting in relation to neighbouring properties will not overshadow or overview with either of the neighbouring properties. Furthermore, whilst additional windows are proposed in the form of dormer windows and roof lights, these will directly overlook the front and rear gardens of the application site and will not further impact upon the privacy levels of neighbouring residents.

Turning to the visual amenity of the area, the existing dwelling lies lower in height than both adjacent properties and the proposed development would result in an increase of 1.4m in height. This would result in the dwelling being of a similar height to that of the adjacent dwelling at No 1a, which is sited a distance of 4.5m from the application site. The property to the other side of the application site, No 2, is a semi-detached dwelling, with a separation distance of 1m. This proposal would result in a height difference of 0.6m.

Due to the differing designs of the properties along this frontage, together with the elevated aspect of the properties, the increase in height would not be significant, nor one which would affect the overall character of the area, and visual amenity of the street scene.

In respect of the comments from the Community Council, the issue of privacy is addressed in the report and is considered acceptable

It is recommended that the application be approved.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS:**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2)The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Reason

In the interests of visual amenity.

<b>ITEM 1. 23</b>	
<b>APPLICATION NO: P/2006/1470</b>	<b>DATE: 11/10/2006</b>
<b>PROPOSAL:</b>	<b>CHANGE OF USE FROM CLASS A1 RETAIL TO USE CLASS A3 CAFÉ RESTAURANT</b>
<b>LOCATION:</b>	<b>21 QUEEN STREET, NEATH NEATH PORT TALBOTS A11 1DN</b>
<b>APPLICANT:</b>	<b>STEPHEN GARVEY</b>
<b>TYPE:</b>	<b>Change of Use</b>
<b>WARD:</b>	<b>Neath North</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan  
S14- Shop frontages and ancillary uses.

Neath Port Talbot Deposit Draft Unitary Development Plan.  
TRL1- Proposals in town centres.  
GC1 – General Considerations

### **b. Other Policies**

Planning Policy Wales

### **c. Relevant Planning History**

P01/0781 – Rear extension to rear of shop – Approved – 13/08/01  
P04/1472 – Fascia and projecting sign – Approved – 11/01/05  
P04/1478 – Alterations to shop – Approved – 11/01/05

### **d. Responses to Consultations**

Number of properties consulted: 11

The application was also advertised on site and in the press

Number of replies received: 0

Statutory Consultees:

Neath Town Council- No reply, therefore no observations to make.

The Head of Engineering and Transport (Highways) – No objection

Environmental Health – No reply

### **APPRAISAL**

This is a full planning application to change the use of 21 Queen Street from Retail (Class A1) to food and drink (Class A3).

The application site comprises a vacant property, previously occupied by a poundshop retailer. A flat is located on the first floor above and the property benefits from a full-width rear extension that extends to within 1.5m of the rear boundary with the church. The property lies within the designated Conservation Area of Neath Town Centre and is located outside the “Main Shopping Streets” as defined by Policy TRL1 in the Neath Port Talbot Deposit Draft Unitary Development Plan.

The property is bounded by Thorntons and Mamselle. The property is one of two vacant properties within this section of Queen Street and Hyper Value situated towards the top end of Queen Street is also due to close.

The application details the change of use of this property from retail (A1) to food and drink to (A3). The property is to be occupied by a local company known as Gossips who also operate a café in Port Talbot. The only external alteration relates to the provision of an external flue that will extend 1.1m above the rear elevation of the flat roof. The applicant has confirmed that any alterations to the shop front would be subject to a separate planning application. Any such alterations to the frontage would need to be in accordance with Supplementary Planning Guidance for the Neath Town Centre Conservation Area.

The main issues for consideration relate to the principle of the use at this location having regard to prevailing planning policies and the impact upon the amenities of neighbouring residents, highway safety and the impact upon the character of the Conservation Area.

Policy S14 of the Borough of Neath Local Plan in relation to ancillary uses and shop frontages, states that “proposals for ancillary service uses such as restaurants, banks, building society offices, hotels and public houses which complement the role of the shopping centre will be normally permitted in the “main shopping streets”, providing that

disruption to the continuity of ground floor shopping frontages is minimised.”

It goes on to explain that “non retail uses contribute to the character and function of the town centre. Conversely, however, they can create dead frontages, cause a loss of retail floor space, and detract from the attractiveness of shopping streets.

In considering individual proposals, the relationship of the proposal to other features which may interrupt the continuity of shopping frontage will be taken into account: road junctions; the length of the shopping frontage; and the degree to which “non-retail” uses are already established in the street.”

Similarly, the emerging Neath Port Talbot Unitary Development Plan, supports this and Policy TRL1 in relation to proposals within town centres, states that “proposals should integrate with and strengthen the layout, retail character and pedestrian flows within the centre”, and that “no unacceptable impacts (including those on amenity, traffic congestion, parking and servicing, environment, crime and disorder and townscape) are created.”

It evident from the aforementioned policy that non-retail ancillary uses within the shopping area may be acceptable, subject to criteria. Following an inspection of Queen Street it is apparent that 61% of the units have an A1 use, while the remaining 39% have a non- A1 use. It is considered that this ratio of A1 to non-A1 use is typical of a secondary shopping street and that the provision of a cafe at this location will attract shoppers to this area of the town centre, which will also strengthen the retail character of the area, in addition to its vitality and viability.

It is considered that the change of use of this property and the proposed rear flue will not have a detrimental impact on the amenities of neighbouring properties, nor will they have an adverse effect on the character of the Conservation Area.

Turning to highway safety, the Head of Engineering and Transport (Highways) raises no objections. The proposal will not therefore compromise highway safety.

In conclusion it is considered that the proposed use at this location is acceptable and in accordance with the relevant development plan policies,

providing a suitable re-use of a vacant premises within the town centre. Approval is therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2) Notwithstanding the provisions of section 55(f) of the 1990 Act and of Class A3 of Part A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or of any measure revoking and re-enacting either that section or that class with or without modification the premises shall not be used for the sale of hot food for consumption off the premises.

Reason

In order to safeguard the amenities of the area

(3) The use hereby permitted shall not open to the public between the hours of 00:30 and 08:00 each day.

Reason

In order to safeguard the amenities of the area

<b>ITEM 1. 24</b>	
<b>APPLICATION NO: P/2006/1471</b>	<b>DATE: 11/10/2006</b>
<b>PROPOSAL: CHANGE OF USE FROM RESIDENTIAL TO HOT FOOD TAKE AWAY RESTAURANT AND ASSOCIATED LIVING ACCOMODATION, WITH EXTERNAL ALTERATIONS.</b>	
<b>LOCATION: 115 NEATH ROAD, BRITON FERRY, NEATH NEATH PORT TALBOTS A11 2BZ</b>	
<b>APPLICANT: DAOSHENG ZHANG</b>	
<b>TYPE: Change of Use</b>	
<b>WARD: Briton Ferry Ea</b>	

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan.

S14- Shop frontages and ancillary uses.

S15- Other shopping streets.

T26- New development and highway safety.

E67- The design of new development

Neath Port Talbot Deposit Draft Unitary Development Plan

GC1- General Considerations.

T1- Location, layout and acceptability of new proposals.

T10- Parking.

#### **b. Other Policies**

Standing Conference on Regional Policy in South Wales, Parking Guidelines, Revised Edition 1993.

#### **c. Relevant Planning History**

P/04/575- Change of Use to Café- Approved- 16/7/04

P/05/767- Change of Use to Residential- Approved- 16/2/06

#### **d. Responses to Consultations**

Number of properties consulted: 8

Number of replies received: 3, and a petition of 16 names, and a petition of 53 names.

The objections relate to the following matters;

1. Poor existing sewerage and drainage.
2. Lack of parking.
3. Noise and nuisance.
4. Proliferation of similar uses in the area.

Statutory Consultees:

Head of Engineering and Transport (Highways)- No Objection, subject to conditions.

Head of Engineering and Transport (Drainage)- No Objection, subject to conditions.

Head of Business Management, Environmental Health and Trading Standards – No adverse comments.

## **APPRAISAL**

This application seeks planning permission of the change of use from a residential dwelling to a hot food take away of 115 Neath Road, Briton Ferry.

The property lies mid-terrace within an area of mixed commercial and residential uses. It is two storey, with an existing single storey rear wing, providing a kitchen, dining area and bathroom.

The proposed development incorporates external alterations to the property to provide display windows at ground floor to the front elevation, and the alteration of a window to the rear of the property to a doorway. The existing ground floor lounge and sitting room are to be converted to provide a public waiting area, a servery/counter and a kitchen. The dining area and the bathroom are to remain unaltered, as will the first floor, which currently provides two bedrooms.

The material issues in this case relate to land use, amenity of adjoining properties, and the visual amenity and character of the area as a whole, and highway and pedestrian safety.



In land use terms the site is located within the defined settlement limits for the area, as set out within the Neath Port Talbot Deposit Draft Unitary Development Plan. Policy EC3 allows for the creation or expansion of businesses within settlement limits.

Within the Borough of Neath Local Plan policy S15 allows for suitable non shopping uses, subject to providing satisfactory ground floor display windows.

The proposed works to the front elevation provide an acceptable shop front, in keeping with others in the area as a whole. No details of advertisements have been submitted, however, these may require a separate consent. There are other commercial properties in the immediate vicinity, and the properties to either side are a hot food take away and a café.

In respect of the amenity of adjoining properties the issues which arise relate to both noise and nuisance, especially late in the evening where these issues normally become more apparent with these uses, and issues of cooking odours. The issue of cooking odours can be dealt with by condition, requiring a suitable extraction system to be provided at the property. In respect of noise and nuisance from clientele visiting the property, it is considered that a restriction of opening hours to 2400 hours would provide an acceptable balance between commercial viability and residential amenity. In light of the commercial nature of the immediate neighbours, and also taking into consideration the location of residential properties it is considered that the proposed use would not significantly affect the amenity of residents in the area, nor impact significantly upon visual amenity. The Head of Engineering and Transport, Highway Section, offers no objection, subject to the submission of a scheme for the creation of one off street car parking space within the curtilage of the property. This can be achieved within the rear curtilage via the rear access lane.

With reference to the objections received, the Head of Engineering and Transport, Drainage Section, and Welsh Water offer no objection to the proposed development. Whilst it is noted that residents state that there are existing issues with poor existing sewerage and drainage, this proposed development raises no significant issues from consultees on these matters. The parking issue for the residents of the property has been addressed within the report, and the applicant will need to provide one off street car parking space within the curtilage. In respect of parking for the users of

the take away facility, the Head of Engineering and Transport, Highway Section offers no objection.

The issues of noise and nuisance are addressed within the report, in respect of the commercial nature of the immediate area, and the existing uses in the area. Whilst it is acknowledged that the use will be open late at night, it is considered that the imposition of a condition restricting opening hours will limit the nuisance to properties in the area, especially in the early hours. It is also accepted that there are a number of similar uses in the area, in particular a café and a hot food take away adjoin the site. Competition or choice to the customer are not material issues, the material issue is the amenity of the area as a whole, and due to the aforementioned comments, it is considered that the use would not provide an unacceptable use along this immediate street frontage.

In conclusion, it is considered that the overall design and uses proposed offer an acceptable addition within the commercial area of Neath Road, and through the imposition of conditions, will not result in a significant detrimental impact upon the amenity of adjoining properties, nor the character of the area as a whole. It is recommended that the application be approved, subject to conditions.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2)The materials to be used in the construction of the external surfaces hereby permitted shall match those used in the existing building.

Reason

In the interests of visual amenity.

(3)Prior to any development taking place a scheme shall be submitted to and approved in writing by the local planning authority for the creation of one off street car parking space within the curtilage of the property. This

scheme as agreed shall be implemented on site prior to the first use of the property, and retained as such thereafter.

Reason

In the interests of Highway and Pedestrian safety.

(4)The hot food take away use (Class A3) shall not be open to customers between the hours of 2400 hours and 0800 hours on any day.

Reason

In the interests of amenity of adjoining properties, and residential properties in the surrounding area as a whole.

(5)Prior to any development taking place a scheme shall be submitted to and approved in writing by the Local Planning Authority for the extraction and treatment of cooking fumes and smells. This scheme as approved shall be installed and completed on site prior to the first use of the cooking facilities and retained as such specification or better thereafter.

Reason

In the interests of amenity.

(6)The developer shall provide a suitable grease trap to prevent entry into the public sewerage system of matter likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal of such contents.

Reason

In the interests of amenity, and to protect the integrity of the public sewerage system.

**2. LISTED BUILDING AND CONSERVATION  
AREA APPLICATIONS RECOMMENDED  
FOR APPROVAL**

<b>ITEM 2. 1</b>	
<b>APPLICATION NO: P/2006/1450</b>	<b>DATE: 28/09/2006</b>
<b>PROPOSAL: LISTED BUILDING APPLICATION - RE-SLATE ROOF OF CHAPEL WITH APPROVED NEW SLATES AND REPLACE REDUNDANT VENTS WITH NEW RIDGE TILES</b>	
<b>LOCATION: EGLWYS SOAR MAES YR HAF CHAPEL, MAES YR HAF ROAD, NEATH,</b>	
<b>APPLICANT: MR GWYN ROWLANDS</b>	
<b>TYPE: Listed Building Cons</b>	
<b>WARD: Neath North</b>	

**BACKGROUND INFORMATION**

**a. Structure/Local Plan Policies**

Borough of Neath Local Plan;

Policy E66 Listed Buildings.

Policy E67 Design of new development.

Neath Port Talbot Deposit Draft Unitary Development Plan:

Policy GC 1 General Considerations

Policy ENV19 Listed buildings.

**b. Other Policies**

None.

**c. Relevant Planning History**

None.

**d. Responses to Consultations**

Number of properties consulted: 11

Site notices displayed.

Notice published in the press.

Number of replies received: 0

Statutory Consultees:

Neath Town Council: No reply therefore no observations to report.

### **APPRAISAL**

The application is submitted under the Planning (Listed building and Conservation Areas) Act 1990 for proposed works to the external elevation and roof of a Grade II listed building, The Eglwys Soar Maes Yr Haf Chapel, Neath.

The application property is a large detached independent Chapel which was built in 1864 from stone with a three bay classical frontage.

The proposals involve re slating of the main roof with natural slate and replacing redundant vents with new ridge tiles, adding new purlins and rafters where necessary. The work also involves renewing all rainwater goods in cast iron and replacing the fascia boards to the front elevation using timber. In addition, it is proposed to repair the existing brickwork to the boiler house which is showing signs of cracking.

The main issues for consideration with regard to this application relates to the impact that the proposed works will have on the special character of this grade II Listed Building. The proposed alterations constitute minor works of repair and maintenance to the building. Whilst the description of the chapel listing emphasises a number of architectural details to the exterior of the building, the works of repair/maintenance will not affect the special character of the building given the fact that the applicant proposes to use traditional materials.

The proposals therefore comply with current Local Plan Policies, Policy E66 of The Borough of Neath Local Plan and Policy ENV 19 of the Neath Port Talbot Unitary Development Plan (Deposit Draft) both of which support the preservation and repair of listed buildings.

In conclusion, it is considered that the building is an important element within the street scene, and the works of repair and maintenance would enhance the building whilst retaining its overall character. Approval is therefore recommended subject to any direction from CADW.

### **RECOMMENDATION**

The application be forwarded to CADW and subject to them not wishing to refuse or determine the proposals themselves, that consent be granted subject to the following conditions.

### **CONDITIONS;**

(1)The development hereby permitted shall be begun before the expiration of five years from the date of this Listed Building Consent.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

(2)No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the visual amenity of the area.

### 3. TPO APPLICATIONS RECOMMENDED FOR APPROVAL

<b>ITEM 3.1</b>	
<b>APPLICATION NO: P/2006/1235</b>	<b>DATE: 30/08/2006</b>
<b>PROPOSAL: FELLING OF TWO TREES (TREE NUMBER 10 AND 20) COVERED BY TPO 016</b>	
<b>LOCATION: ST THOMAS CHURCH, CHURCH PLACE, NEATH SA113LL</b>	
<b>APPLICANT:</b>	
<b>TYPE:</b>	<b>App under TPO</b>
<b>WARD:</b>	<b>Neath North</b>

#### **BACKGROUND INFORMATION**

##### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan:

Policy E63 Conservation of woodland and trees.

Neath Port Talbot Deposit Draft Unitary Development Plan:

Policy ENV 20 Proposals within conservation Areas.

Policy GC 1 General Conditions.

##### **b. Other Policies**

None.

##### **c. Relevant Planning History**

None.

##### **d. Responses to Consultations**

Number of properties consulted: 52

Site notices displayed.

Number of replies received: 2 letters received from the same objector.

The objections can be summarised as follows;

- a) The importance of mature trees to the global warming peril not acknowledged.
- b) Cannot justify felling fir tree, the horse chestnut has been killed.
- c) Suggest re planting with suitable species.

Statutory Consultees:

Neath Town Council: No objections.

Head of Streetcare (Arboriculture): No objections subject to conditions.

## **APPRAISAL**

The application seeks permission to fell a mature Lawson Cypress and a Horse Chestnut covered by Tree Preservation Orders at St. Thomas Church, Church Place, Neath.

The removal of the trees form part of a scheme involving the comprehensive refurbishment of the churchyard and its environs, being dealt with under a separate application. Although trees are not being replaced the refurbishment does involve a planting scheme with suitable species at alternative locations within the churchyard.

The trees are located within the church yard of St. Thomas's Church. Tree number one, the Lawson Cypress, is located in the centre of a paved area close to the main west entrance to the church. Tree number two, the Horse Chestnut is located at the rear of the church approximately 7 metres from the east wall.

The main issues for consideration with regard to this application relates to the acceptability of the proposed felling having regard to the health of the trees and the contribution they make to visual amenity.

The Head of Streetcare Services (Arboriculture) considers that the poor condition of the trees together with the fact that Horse Chestnut and



Lawson Cypress are not suitable species for this particular location is justification for the proposed felling of the trees.

The trees are located within the designated Conservation Area of Neath and as such proposals which would conflict with preserving or enhancing the character and appearance of the area will be resisted. In planning terms it is considered that the felling of the trees is not likely have a harmful effect on the visual amenity or character of the area due to their poor condition and the unsuitability. It is therefore considered that the proposed felling will not detract from the special character of the conservation area.

With regard to objections received. The importance of trees in relation to the environment is acknowledged, however the poor condition of the trees in this case warrants felling. The Head of Streetcare services has recommended the felling of the trees due to their poor condition, there is therefore justification for their removal. Although the trees will not be directly replaced, the planting scheme as referred to above will provide additional suitable trees within the churchyard which will enhance the setting of the church building.

In conclusion it is considered that the proposed felling of the trees by virtue of their poor condition and in appropriate siting is acceptable, and the replacement planting scheme is proposed under a separate application will ensure that the setting of the church and the character and appearance of the surrounding conservation area is preserved. The proposal is therefore in accordance with prevailing planning policies and approval is recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1) The development hereby permitted shall be carried out within one year of the date of this permission.

Reason

In the interests of safety.

(2) All works shall be undertaken in accordance with BS 3998 Recommendations for Tree Work by a qualified and competent tree surgeon.

## Reason

In the interests of clarity.

(3) The proposed planting scheme shall be carried out in accordance with a programme of works to be submitted to and agreed in writing with the Local Planning Authority. Any trees or plants which within a period of five years from the commencement of the planting scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

## Reason

In the interest of visual amenity and to accord with Section 197 of the Town and Country Planning Act 1990.

<b>ITEM 3.2</b>	
<b>APPLICATION NO: P/2006/1411</b>	<b>DATE: 29/09/2006</b>
<b>PROPOSAL:</b>	<b>WORKS TO TREES COVERED BY TPO 99</b>
<b>LOCATION:</b>	<b>25 LON BRYNTEG, NEATH NEATH PORT TALBOTS A10 7RY</b>
<b>APPLICANT:</b>	<b>JEAN HOCKRIDGE</b>
<b>TYPE:</b>	<b>App under TPO</b>
<b>WARD:</b>	<b>Bryncoch South</b>

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan**

Borough of Neath Local Plan  
Policy E63

Neath Port Talbot draft Unitary Development Plan  
ENV30 Environmental Quality and Amenity

#### **b. Other Policies**

None

#### **c. Relevant Planning History**

None.

#### **d. Responses to Consultations**

Number of properties consulted: 10

Number of replies received: 1

The grounds of objection can be summarised as follows:-

1. Concerns surrounding the actual location of the tree.

2. The tree does not cast shadows over the respective dwellings Number 24 and 25 Lon Brynteg.
3. Concerns surrounding how pruning to the tree can be completed without spoiling the shape and appearance of the tree.

Statutory Consultees:

Blaenhonddan Community Council: No reply therefore no observations to make.

Head of Streetcare: No objections.

### **APPRAISAL**

This is an application submitted under the Town and Country Planning Act 1990, section 198, for work to a tree covered by the Waunceirch Tree Preservation Order.

The tree is located on land next to the boundary wall of 25 Lon Brynteg, Neath.

The application seeks permission to prune the branches of a Hawthorn Tree, which overhangs the property known as 25 Lon Brynteg, Neath. The applicant cites reasons for its pruning as the blocking of light and the overhanging of branches into the rear of the garden.

The main issues for consideration with regard to this application are the impact upon safety and visual amenity.

The Council's Arboricultural Officer has inspected the tree and has stated that the requested pruning works should be limited to the removal of the larger branches which overhang the rear of garden Number 25 Lon Brynteg and a number of selected branches which are growing along the rear boundary.

With respect to visual amenity, the pruning works to be carried out on the tree are not considered significant and will not adversely affect the character and appearance of the area.

One letter of objection has been received in relation to this application which raises the concern that any pruning made to the tree cannot be

made without spoiling the shape and appearance of the tree. It also wishes to make clear that the tree in question is located on the boundary fence of 24 Lon Brynteg and not 25 Lon Brynteg and as the trees are located to North of the gardens, they therefore do not cast a shadow over the respective properties.

With regards to the issue, that the tree is located to the rear of the boundary fence of Number 24 and not Number 25. Whilst the exact location of the Tree is disputed, the applicants concern is with the overhanging of branches from the tree which enter the applicant property, and not the actual position of the tree roots.

Regarding the issue that, any pruning undertaken to the tree will spoil the shape and appearance of the tree, the Councils Arboricultural officer has stated that as long as the recommendations he made are carried out with good arboricultural practice, the tree should maintain its natural balance and form.

In conclusion it is considered that the proposed alterations to the tree would not result in a significantly negative impact on the tree. The pruning would also not compromise the character and appearance of the area. Approval is therefore recommended.

**RECOMMENDATION:      Approval with Conditions**

**CONDITIONS;**

(1) All works shall be undertaken in accordance with BS 3998:1989 'Recommendations for Tree Work' by a qualified and competent tree surgeon.

Reason

To ensure that the work is carried out to a satisfactory standard, in the interests of good husbandry.

(2) The works hereby approved shall be completed within 12 months of the date of this consent.

Reason

In the interests of the health of the tree.

(3) The work shall be restricted to the following:-

Pruning works should be limited to the removal of the larger branches which overhang the rear garden of number 25 Lon brynteg and a number of selected branches which are growing along the rear boundary.

**Reason**

For the avoidance of doubt as to the scope of this consent and in order to safeguard the shape and health of the trees in the interest of amenity.

#### 4. PLANNING APPLICATIONS RECOMMENDED FOR REFUSAL

<b>ITEM 4.1</b>	
<b>APPLICATION NO: P/2004/1832</b>	<b>DATE: 23/12/2004</b>
<b>PROPOSAL: PROPOSED EXTENSION TO EXISTING OPENCAST COAL SITE FOLLOWED BY RESTORATION AND AFTERCARE MANAGEMENT (ADDITIONAL INFORMATION AND PLANS)</b>	
<b>LOCATION: MARGAM OCCS, FFORDD Y GYFRAITH, CEFN CRIBWR, BRIDGEND CF32 OBS</b>	
<b>APPLICANT: CELTIC ENERGY LTD</b>	
<b>TYPE: Full Plans</b>	
<b>WARD: Margam</b>	

#### BACKGROUND INFORMATION

##### a. Structure/Local Plan Policies

##### West Glamorgan Structure Plan (Review No. 2)

EQ5 – Protection and improvement of woodlands

EQ6 – Protection of nature conservation areas

EQ7 – Protection of heritage features

EQ8 – Safeguarding of rivers and inland waters

M2 – Consider mineral development

M3 – Cumulative environmental impacts

M4 – Mineral development in open countryside (ii) Margam Park

M5 – Land stability and subsidence

M6 – Mineral development details

M10 – Restoration guarantees

C1 – Protection of the countryside

C5 – Development in the open countryside

T9 – Use of rail facilities

##### Deposit Draft Neath Port Talbot Unitary Development Plan

##### Part 1

1 – Enhancement and protection of countryside

2 – Protection of wildlife and habitats

20(A) – Coal extraction

## Part 2

ENV1 – Development in the countryside

ENV2(v) – Green wedges (Margam)

ENV3 – Impacts on the landscape

ENV5 – Nature conservation

ENV12 – Proposals affecting water quality and resources

ENV15 – Air quality

ENV27 – External Lighting

EC2 – Extension to industrial premises

GC2 – Engineering works and operations (including minerals and waste)

M7 – Criteria for the assessment of coal and all mineral applications.

M8 – Areas which opencast coal operations will be resisted.

M9 – Restoration and Aftercare and financial guarantees

## Deposit Draft Port Talbot Local Plan

E9 – Protection of the countryside

E20 – Adverse effect on local conservation sites

I15 – Margam Mine

I19 – Adverse effect on amenity

## Cwmafan, Bryn, Goytre Valley and Rural Margam Local Plan

E1 – Development in the countryside.

E6 – Development affecting local nature.

M1 – Minerals development and tourism.

ENV4 – Protection of Margam Park ?

## Deposit Draft Minerals Local Plan for West Glamorgan

DC2 – Green Wedge

DC3 – Landscape and visual intrusion

DC5 – Local nature conservation areas

DC6 – Effect on rare, vulnerable and endangered species

DC7 – Groundwater resources

DC8 – Control of waters

DC9 – Acid minewater drainage

DC10 – Highway matters

DC11 – Agreements on highway issues

DC12 – Clean vehicles

DC13 – Alternative Transport

DC19 – Employment

DC22 – Dust



DC23 – Noise  
DC24 - Blasting  
DC25 – Cumulative Impact  
DC26 – Extraction of mineral resource  
DC27 – Satisfactory restoration and aftercare  
DC28 – Legal agreement for restoration  
DC29 – Financial guarantee/bond  
DC30 – Improve countryside and nature conservation through restoration and aftercare.

**b. Other Policies**

UK Strategy on Sustainable Development  
Planning Policy Wales – March 2002  
Minerals Planning Policy Wales – December 2000  
Consultation Draft Minerals Planning Policy Wales – Minerals  
Technical Advice Note 2 (Wales) – Coal – January 2006  
Minerals Planning Guidance 2 – (1988) Applications, permission and conditions. (All except paras 7 – 10)  
All annexes in Minerals Planning Guidance 3 (1994) Coal mining and Colliery Spoil Disposal  
Mineral Planning Guidance 7 (1989) The Reclamation of Mineral Workings – (Paragraphs 3 and 4)  
Mineral Planning Guidance 11 – The Control of Noise at surface mineral workings  
TAN 5 – Nature conservation  
TAN11 – Noise  
TAN15 – Development and Flood Risk  
TAN18 - Transport

**c. Relevant Planning History**

2/4/81/3806 – Excavation of tips at Bryndu – Approved – 8<sup>th</sup> March 1982.  
2/4/82/4090 – Excavation of tips at Bryndu – Approved 30<sup>th</sup> August 1982.  
2/4/82/4161 – Excavation of remaining part of tip at Bryndu – Approved 12<sup>th</sup> November 1982.  
2/4/82/4248 – Excavation tip near Crown Road – Refused 4<sup>th</sup> February 1983.

2/4/89/7389 – Extension to Opencast Parc Slip West OCCS –  
Approved 7<sup>th</sup> March 1991

P98/0541 – Opencast extensions and mine surface for underground  
development and reclamation of Aberbaiden Tips – Approved 2<sup>nd</sup>  
March 2001.

P01/1243 – Proposed extension of extraction (coaling area) and the  
temporary enlargement of the proposed surcharge mound – Variation  
of condition 3 and 12 of P.A. Ref. P98/0541 – Granted 13/11/06

P04/1294 – To extend timescale for coaling operations and associated  
development until 1<sup>st</sup> February 2007 – Margam OCCS – Granted  
13/11/06

#### **d. Responses to Consultations**

Number of properties consulted: 29

The application was first advertised in January 2005. Site notices were posted around the vicinity of the site. A limited number of properties adjacent or close to the existing and extension site within Neath Port Talbot were also notified directly. Following initial consultations, further environmental information, surveys and plans were received on 13 December 2005 which were also publicised by site notices and adverts in the local press and secondary consultation undertaken. Secondary consultations to properties consulted was also undertaken. On 28 July 2006 further environmental information and documents were received which were publicised in the same manner.

Public meetings were held in March 2005 in Cefn Cribwr and Pyle.

823 letters have been received and the following is a summary to the objections and comments.

1. The application is detrimental to the health of the locality, creating pollution and harmful dust emissions and has wide reaching consequences both of local concern and of wider impact.
2. It will spilt the local communities and prevent access to leisure amenities such as countryside walks cycle and bridle paths.
3. It will devastate a beautiful “green wedge” of countryside and destroy invaluable habitats including ancient woodland, streams,

rivers hedges and pastures and other flora and fauna none of which can be restored.

4. Dust nuisance will be caused and contribute to health problems particularly respiratory disease including asthma, particularly in children.
5. General concern for the health of the community.
6. Noise nuisance causing constant effect on amenity.
7. Blasting operations will cause property damage and nuisance from vibration.
8. Visual impact will be devastating and have an adverse effect on the amenity and quality of life of local residents.
9. Devaluation of property.
10. Loss of countryside for general employment.
11. The coal will add to climate change.
12. Planning approval had been granted for a deep mine. This would be less environmentally damaging.
13. Existing respiratory diseases would be made worse.
14. Commercial enterprise should not be put in front of social issues.
15. The development will have a major impact on the rivers from the discharge of abandoned mine workings.
16. A significant eyesore would be created which will never be restored.
17. Increased traffic on minor roads causing hazards to cyclists, walkers and horse riders.
18. Horse related businesses in the area would be affected.
19. Agricultural land and woodland belts will be destroyed.

20. Celtic Energy Ltd promised to sink a deep mine and that the opencast site would not extent further after the last consent.
21. The operations will be as close as 100 metres to residents in Kenfig Hill.
22. The river diversion will cause disruption and affect the flows in rivers to the extent that flooding would occur.
23. Marked increase in noise, dust and pollution in last few years as the operations have come closer to Kenfig Hill.
24. Train operations have their own problems and this will increase.
25. Increase in housing and a number of children makes safety in the area an important issue.
26. Disruption of landscape and countryside not acceptable and site has been operating long enough.
27. Limited time allowed for comments.
28. The last consent was granted on promises which were never kept one being that the deep Mine which has never progressed with the promised jobs.
29. Risk to high pressure gas pipelines.
30. Cumulative impact of similar activity.
31. Potential subsidence and effect on ground subsidence.
32. Restoration proposals will not replicate what landscape we have now.
33. The diversion of Afon Cynffig and the destruction of Hafodheulog Wood is unacceptable.
34. Existing overburden mounds are already unsightly and the existing site should be restored before further development occurs.

35. The application should be refused as it is too near to residential areas.
36. Lack of information in application.
37. Concerns that the final void is to be utilised as a waste management/landfill site.
38. No written notification was received of the application.
39. Loss of use of highways and footpaths with the severance of communities affecting recreation.
40. Light pollution is a constant nuisance and affects the amenity of residents.
41. The area has been affected economically, socially, and environmentally by opencast mining.
42. The area is home to protected species, such as Peregrine Falcon, Merlin, Fieldfare, Barn Owl, Bats and Badgers, Dormice and other UK BAP Priority Species and these will be adversely affected.
43. Dust cannot be controlled adequately.
44. Proposal does not give any long term employment.
45. Particular concerns and evidence relating to the impact on the health of children and asthma.
46. The impacts of the development cannot be reduced to an acceptable level.
47. Insufficient funds to restore the land and threat that if consent not granted there will be no restoration.
48. Promises to reopen Bedford Road not kept.
49. Overburden mounds remaining as a visible feature in the landscape.
50. The destruction of land close to Margam Park.

51. Off site effects on drainage and other features such as the Kenfig Nature Reserve SAC and Waun Cimla and Cefn Cribbwr SSSI's.
52. Effects on water table.
53. Cumulative effect of almost 50 years of unbroken opencast activity is unacceptable.
54. Not a sustainable development.
55. The development is not environmentally acceptable and is in conflict with national and local policies and will breach laws to protect species and habitats.
56. The development will have a significant detrimental impact on the local community and the environment.
57. The diversion of the Afon Cynffig would have a significant effect on the fish in the streams and rivers of the area.
58. The applicant presents no evidence to substantiate his claims of a confirmed market for his product making assumptions of viability and security of sale.
59. Restoration of river course not practical.
60. Poor plans not to scale and lacking in detail.
61. Light disruption and pollution.
62. Affects on mental well being of residents affected by the black void and domination of view from property.
63. Violation of Human Rights Act because of the effect on the right to enjoy my property both environmentally and because of house values.
64. The proposal will impact both on lifestyle and health of families.
65. Noise levels will be unbearable.
66. Standards of dust monitoring and equipment is inadequate.

67. A public inquiry should be held into the application.
68. The development would have a negative effect on Margam Park and further extensions would be applied for towards Margam Park.
69. The Hafodheulog wood is assessed to be County Nature Conservation Value because of its status as ancient and associated flora and fauna and its loss cannot be replaced.
70. Objective is to defer restoration costs of site.
71. Long term cumulative effect of opencast operations unacceptable, operations virtually continuous since 1940's and 50's.
72. Company cannot be trusted to carry out their promises.
73. The diversion of the main power line will cause local residents unnecessary inconvenience.
74. New housing at Trederwen and New Road not shown on plans and will be affected.
75. Guest House businesses will be located within 200m of the mining works. Log cabins have been built for developing tourism and will be affected.
76. Overburden tips getting wider and higher.
77. No progressive restoration as promised.
78. Other reserves available not so sensitive to large built up areas.
79. The Health Impact Assessment should be taken into consideration and recommendation from HIA that it should be turned down (precautionary principle).
80. Comprehensive moth and butterfly survey missing from EIA and dormouse and numbers decreasing nationally.
81. Relocation and retention of species cannot be carried out.

82. The need for coal can be satisfied by deep mining.
83. The countryside within the proposed extension area deserves protection.
84. Criticism of accuracy and content of restoration strategy plan.
85. Proposals will inflict more damage on the remaining woodland than envisaged by the restoration plans.
86. Plateau left at south eastern end of the site not conducive for tree planting.
87. Questions raised on the capacity to work the site as indicated on the plans, alleging that substantially more material may need to be placed above ground, and backfilling and slopes would be too steep, to accommodate the river diversion construction.
88. The river channel would be in a rock cutting with steep batter slopes and appears to be in a major ravine for over half its length, with the prospect of long culverts at depth.
89. Concerns over the potential to create acid dock drainage from the final discharge point of restored ground from the Bryndu engine shaft.
90. The overbearing impact of soil mounds adjacent to properties.
91. Development in conflict with Policy M7 and M8 of the UDP and the “separation zones” as set out in the Draft MTAN(2) – Coal.
92. No mitigation measures available to reduce impact and bring adverse impact on adjacent properties.
93. Misleading information in visual impacts assessment documents and impact will be severe.
94. Conflict with Policy E4 and I3 of the Bryn, Goytre and Margam Plan.
95. National cycle route NC4 goes through the area.



96. Conflict with planning policies on Greenwedges, Biodiversity, protection of Ancient Woodlands, River habitat, Protected species.
97. Protection of environment not possible.
98. Loss of good agricultural land.
99. Pollution caused by the developer in the past. Such incidence including a recent water break out of the River Kenfig.
100. Landscape classification of Coedhirwaun and Assessment questioned.
101. Mistrust of the operator, Celtic Energy Ltd.
102. A combination of socio-economic factors that will have a devastating effect on the local communities.
103. Poor results on adjacent restoration sites including Parc Slip.

### **Support for the Proposal**

Thirty two letters of support for the proposal have been received and raise the following issues.

- (1) Will safeguard around 70 jobs for local men and local contractors.
- (2) Important source of coal for Aberthaw power station and Port Talbot Steel works.
- (3) No threat to health perceived.
- (4) Restoration schemes are outstanding.
- (5) It will safeguard operations at Onllwyn as the coal is used for blending at this location.
- (6) No alternative jobs available.
- (7) There is more pollution generated by Steel Works.
- (8) Wildlife is in abundance around the site and been created in a previous opencast.
- (9) Loss of financial input into the local economy.
- (10) Possible loss of mineral railway line.
- (11) Knock on effect on power station.
- (12) No effects having lived close to the existing working.

- (13) Because of the need for blending coal, without it other sites could be affected.
- (14) Environmental and safety standards at the site are extremely high.
- (15) Criticism of Health Impact Assessment.
- (16) The jobs at risk are not only those at Margam but the whole opencast industry in Wales.
- (17) The jobs are the only ones available
- (18) The future Energy Policy for our country is coal.

Further objections to the proposal consist of:

A letter from Dr. Hywel Francis MP who shares the concerns of local residents that the development will have detrimental health and environmental effects. He also has concerns over key wildlife habitats and the Afon Kenfig and also affects on ancient woodland. He also is concerned with dust effects suffered by local residents over a number of years and considers that the costs in terms of health and damage to the environment would have far exceeding possible benefits.

A petition containing 180 signatures registering their objection to the proposal (no reasons stated).

A Health Impact Assessment for the proposed had been submitted on behalf of the Margam Opencast and Health Steering group and conducted by the Welsh Health Impact Assessment Support Unit and the National Public Health Service for Wales. The report concludes: -

- That individual health and well being should be the prime consideration and when there is doubt, the precautionary principle should be applied.
- The economics of coal extraction should not override the basic human rights of the population.
- Sustainable development and move away from reliance on fossil fuel should be the underlying aim.

Neath Port Talbot Tourism Forum object on the ground of the effect on local landscape, tourism and potential for a landfill site.

Members can inspect the full text of all the representations in the Planning Office.

Statutory Consultees:

Western Distribution – identify apparatus on the site. A 132 kv, pylon and a 33kv line will have to be diverted in the event of development but they have no objections to the proposal.

Wales and West Utilities – identify a high pressure gas transmission pipeline that lies within the northern boundary of the site. They have no objections to the proposal and confirm that the developer will provide further details in respect of the river diversion, slope stability, blasting and ground monitoring arrangements.

Mid and West Wales Fire and Rescue Service – indicate that the developer should consider the need to provide adequate water supplies for fire fighting purposes but have no objection to the proposal.

Welsh Water – identify a public sewer and a trunk distribution water main crossing the site. The public sewer will have to be protected from development and the trunk distribution water main will require a diversion around the proposed mineral working.

Network Rail – have considered the information submitted by the applicant, particularly on slope stability and blasting arrangements. They have no objections to the proposal subject to conditions.

The Regional Planning Adviser of the Welsh Assembly Government – has no objections to the proposal, subject to conditions, and confirms that it is appropriate to specify agriculture as the after use for the site.

The Head of Business, Health and Trading Standards – has no objections to the proposal on noise grounds subject to conditions.

The Head of Policy and Administration (Air Quality) – has no objection to the proposal subject to conditions.

Cadw – has no objection to the proposal and do not consider that the proposed extension would have a material effect on the setting of

scheduled ancient monuments or the historic park and garden known as Margam Park, or any historic landscapes.

Bridgend County Borough Council – are anticipated to consider the application in their meeting on 30<sup>th</sup> November 2006.

Environment Agency – have concerns with regard to the level of compensation provided for biodiversity particularly with regard to the creation of habitat and question if this part of the development is sustainable. They suggest that if these concerns have not been adequately addressed then the application should be refused. On other issues, such as fisheries, hydrology, groundwater, protection of controlled waters and flood defence, they have no adverse comments subject to conditions.

Countryside Council for Wales – object to the development and recommends it be refused unless the ancient woodland can be retained. They also refer to the local significance of the level of the visual impact of the development and of the level of concerns on mitigation provided for badgers. There is also some concern for bat mitigation unless adequate provisions are provided.

Glamorgan Gwent Archaeological Trust – have no objections to the proposal subject to conditions relating to the protection of the two Bryn Du engine houses, a programme of conservation and the interpretation, and a programme of archaeological work.

HM's Inspectorate of Mines – have noted that the proposed operation lies within their enforcement responsibilities under the Health and Safety at Work Act 1974.

Forestry Commission Wales – note that the development would lead to the destruction of a significant area of ancient and semi natural woodland and would be in contravention of the National Assembly of Wales strategy for Trees and Woodlands.

The Head of Engineering and Transport – has no highway objection to the proposal subject to conditions.

Head of Engineering and Transport (Design) – No adverse comments received.

Head of Engineering and Transport (Drainage) – No objections.

The Rights of Way Officer confirms that Footpaths 84, 85, 86, 87 and 132 are affected by the extension site.

National Grid Transco have no objections to the proposal but identify a 275,000 volt power line immediately to the south of the application site.

Head of Engineering and Transport (Drainage) – No adverse comments.

### Other Consultations

The Ramblers Association – object to the proposal because of the effects on public rights of way, historic woodland, flora and fauna, the removal of the green wedge, and the effects on amenity and the local economy.

Woodland Trust – object to the development and urges the Council to defend the local environment and quality of life by refusing the application particularly in respect of impact on the ancient semi-natural woodland and its associated flora and fauna and that the woodland is irreplaceable.

Campaign for the Protection of Rural Wales – no reply received

Royal Society for the Protection of Birds – no reply received

The Coal Authority – no reply.

Glamorgan Wildlife Trust – no reply.

Glamorgan Badger Group – considers the application should be refused because of its impact on badger sets and feeding grounds.

Otter Project Wales – need to consider the conservation of nesting sites/feeding resources etc. for otters.

Glamorgan Bat Group – expect a good range of species in the mixed habitat.

The Local Public Health Director for Neath Port Talbot refers to the evidence given by Dr. Gwen Love in the Ffôs Y Fran OCCS public inquiry as being relevant to the case.

## **APPRAISAL**

### **1. THE APPLICATION**

The application is for the retention and extension of the existing Margam Opencast site to the east of Penybryn and north of Kenfig Hill. The application site straddles the the boundary between Neath Port Talbot and Bridgend which follows the former course of the Nant Craig yr Aber. A separate application has been submitted to Bridgend County Borough Council. It should be noted that whilst the extension area is totally within this Authority's boundary, the application includes the renewal and retention of existing operations which lie within Bridgend's area and therefore if the development was to go ahead, both Authorities would have to consent.

#### **The site and its' surroundings**

The application site covers some 277 hectares and is composed of the existing Margam Opencast site and a further extension area to the west towards Penybryn and Kenfig Hill. The extension area covers some 82 hectares of the site.

The site lies within the broad east – west valley of the Nant Iorwerth Goch and Afon Cynffig. To the east lies the former Parc Slip opencast site and road known as Ffordd-y-Gyfraith and the new Parc Slip Nature Reserve. To the south lies the Cefn Cribwr Ridge and the communities of Cefn Cribwr, Kenfig Hill and Pyle. To the north lies the former Aberbaiden Colliery and tips and upland hills reaching towards Margam mountain. The village of Penybryn lies immediately to the west of the site boundary and Coed Hirwaun village approximately 1km to the west.

Margam Park, a country park and a Registered Park and Garden of Historic Interest is a little over 2km to the west of the extension area. Bedford Country Park centred on the scheduled ancient monument of the Bedford Iron Works, is immediately to the south of the existing site. the Bryndu Coke Quarry Scheduled Ancient Monument also lies to the south.

Crown Road and Bedford Road are adopted highways and reach the boundary of the existing site from the communities of Kenfig Hill and

Cefn Cribwr respectively. The remaining part of Crown Road lies to the north of the site near the properties known as the Oaks. A mineral railway runs along part of the southern boundary of the site.

The current opencast site is composed of the following main components.

- A working void which lies immediately to the east of Hafodheulog Wood and the Afon Cynffig.
- A main overburden mound which has a maximum height of approximately 128 AOD and an additional surcharge mound at a height of 96 metres AOD.
- The diverted Nant Craig yr Aber flows from north to south through the site.
- On the south eastern boundary lies a coal stocking and screening area along with a rail pad facility.
- Soil storage mounds and water treatment facilities lie at various points throughout the site mainly on the periphery.
- The site office/workshop area has an access off Ffordd Y Gyfraith.
- The current site has resulted in the stopping up of the public highways known as Bedford Road and Crown Road and other footpaths in the area.

The extension area is composed of:

- A mixture of agricultural pasture land and woodland and the significant landscape feature of the Afon Cynffig and the associated Hafodheulog woodland, a semi-natural ancient woodland.
- The Hafodheulog Wood covers an area of approximately 5 hectares immediately to the west of the current site boundary and has a linear feature along the Afon Cynffig Valley which runs from north to south across the breadth of the extension site.
- Open fields with hedges lie in the north and east of the extension area.
- More or less centrally and extending to the west lies a hill composed of pasture land, further woodland and hedgerows.
- To the south west scrub dominated lowland and woodland prevails along with the Bryn Du House Farm and the former Bryn Du Colliery and Engine House.
- Footpaths No. 85 leads from Hafodheulog Farm towards Crown Road in the south and Footpath No. 84 crosses the site in the south western corner of the extension area leading from Heol Y Glo towards Kenfig Hill.

- The site is crossed on the northern boundary by a high pressure gas main which goes through Hafodheulog wood and into the existing site.
- An electricity 132kv pylon and a 33kv power line cross the site in the south and centrally respectively.

Some of the extension area has been previously worked for coal. The Brundu Colliery in the south west and opencast development in the 1950's and 1960's in the north and north west are the most notable.

The landscape of the general area varies from north to south. The hills to the north have an upland character with steep slopes, deep narrow valleys and exposed ridge tops, characterised by coniferous plantations and scattered farmsteads. The valley in which the application site is situated has an undulating topography of lowland agricultural character with woodlands, scrublands and the principle feature being Hafodheulog Wood, part of which is within the site where it follows the Afon Cynffig valley. The ridgeline of Cefn Cribbwr encloses the valley and the landscape character to the south is influenced by the settlement of Kenfig Hill in the west and the ridge top village of Cefn Cribbwr. The valley floor has been shaped partially by past industrial activity and mineral workings and the present Margam opencast site is an important element in the landscape.

Crown Road and Bedford Road which links Kenfig Hill and Cefn Cribbwr to the Aberbaiden – Tondu Road have been temporarily closed along with a number of footpaths.

Areas of land in the north, west and south west of the site have been disturbed by previous mine workings and restored.

The vast majority of the land associated with the extension area is of a Grade 4 agricultural classification (approx 58 hectares). Some 15.5 hectares is of moderate quality agricultural land, class sub Grade 3(b) and some 1.6 hectares is classed as very poor quality agricultural land Grade 5. The woodland covering parts of the site and some buildings in the south of the site have been mapped as non-agricultural.

### Rights of Way

A number of footpaths have already been suspended as part of the Parkslip/Parkslip West sites and the existing Margam opencast site, and which will have to remain suspended for the duration of operations. In



addition to these footpaths and bridleways, Bedford Road and Crown Road would also have to remain closed. Most of the currently suspended footpaths lie in the eastern end of the site in the Bridgend area. Footpaths 84 and 85 would need to be suspended in the extension area. Footpath 85 forms a link from north to south between a location near Hafodheulog Farm to Crown Road in the south. Footpath 84 provides a route from Kenfig Hill to Bryndu and Heol y Glo. Although the length of Footpath 84 would not be affected by excavation or operational works, its use could not be continued because of health and safety requirements.

## **2. THE PROPOSAL**

This is a proposal to win some 2.4 million tonnes of high volatile bituminous coal by opencast methods at an approximate production rate of 380,000 tonnes annually followed by restoration and aftercare.

Following initial 6 months preliminary works, various excavation and coaling works would be undertaken over a 7 year period. Restoration could be completed in approximately 2½ years making the development a 10 year project. Following restoration, a five year programme of aftercare for agricultural use, and other nature conservation areas and wetlands would be undertaken. By extended agreement, a 10 year aftercare period for all woodland would be undertaken.

The coal seams to be worked within the excavation area of 51 hectares would be those between the Lantern Rider Seam and Wythian Fach Seam, some of them repeated because of tectonic disturbance. The thickest seam would be over 4 metres thick (the Upper Nine Feet).

The development would be composed of three distinct phases.

### **Advanced Preparation Works/Preliminary Phase (0-6 months)**

This would include fencing, water treatment and drainage facility construction, construction of a new channel for the Afon Cynffig by removing material from the existing surcharge mound, the diversion of the Afon Cynffig, and the clearance of woodland and grassland including Hafodheulog wood. Initial soil stripping and construction of screening and baffle mounds would also occur. During the construction of the new channel 2 million cubic metres would be removed from the existing surcharge mound on the existing site to form a landform and buttressing for the new channel.

## Main Working Phase

Excavation works would progress in a westerly direction from the existing void in a series of 6 cuts approximately 115 metres wide, soils stripping being carried out in advance. The initial 2 million cubic metres of overburden would be placed onto the existing surcharge area replacing what was removed for the river diversion.

The depth of each cut will be very similar to the existing site profile, being approximately 90 to 100 metres below surface level. When the first cut has been sufficiently lowered to approximately 40 to 50 metres below the surface, excavation would commence on the second cut. From thereon work would continue in both cuts until Cut 1 is exhausted.

At an appropriate time during the working of the two cuts, soils would be stripped from Cut 3 enabling excavation work to commence. A similar pattern of two working cuts one shallow, one deeper with soils stripped from the next cut will be repeated until the completion of Cut 5 to leave Cut 6 at the final excavation.

The main sump of the site would be constructed at the base of the previously completed cut in an east to west direction during the above sequence. All water falling on and flowing into the limit of excavation would be channelled to the main sump and pumped for water treatment.

The final void will comprise the area of excavation on Cut 6 together with an area east of that for the main sump and backfill area. Each cut sequence, of which there are 6, will each have an approximate duration of 14 months.

## Backfilling and Restoration Profile

It is proposed to progressively backfill and restore land as the site progresses in an east to west direction from the diverted channel of the Afon Cynffig. As additional areas become available they would be progressively restored and seeded. The maximum amount of the excavation area that could be seeded as and when the final void is worked would be approximately one third of the excavation area.

Following completion of coaling which is anticipated some 7½ years from the date of the commencement of works, the final void would be backfilled with material stored in the main overburden mound and surcharge mound. Restoration is anticipated to take around 2½ years.

The restored landform would be completed to contours to be agreed by both this Council and Bridgend County Borough Council. All stored topsoil, subsoils and soil forming materials would be spread at the earliest opportunity and seeded.

Other elements such as site haul roads, offices, workshops, hardstandings and other fixtures would be the final areas to be restored.

Water treatment facilities would be maintained until a satisfactory sward had been established. Some of these facilities would be retained for ecological and landscape interests in accordance with the aftercare strategy. Public highways and footpaths would also be reconstructed and reopened at the earliest possible opportunity.

### Aftercare

It is proposed to restore the land to a combination of enclosed agricultural land, interspersed with woodland and un-intensive grassland, scrub and wetlands and a reed bed in the central/eastern portion of the site. The diverted rivers of Afon Cynffig and Nant Craig yr Aber would remain along their diverted routes.

### Hours of Working

It is proposed to work the site between 07.00 hours and 19.00 hours Monday to Friday and 07.00 and 13.00 hours on Saturdays. No working is proposed on Public or Bank Holidays. Servicing and maintenance operations and pumping would be undertaken outside these hours.

Blasting operations would be undertaken between 10.00 hours and 12.00 hours and 14.00 hours to 16.00 hours on week days. Blasting on Saturdays would be limited between 10.00 hours and 12.00 hours. Coal movements by rail would occur within the above operating times.

### Coal Treatment and Disposal

Run of mine coal will be transported from the working area within the void to the coal stocking area adjacent to the rail pad, and stored in designated stocks dependant on coal seam qualities.

Approximately 90% of the coal would be processed through an existing dry screening process prior to despatch.

All coal produced at the site would be transported by rail either direct to markets or to the Onllwyn Washery and Distribution Centre for blending. An existing rail pad at the site would be utilised for rail loading operations.

### Traffic

As indicated above except for exceptional circumstances, all coal will be transported by rail from the site. Existing personnel and service vehicles access the site off Ffordd y Gyfraith. Because site development would be taking place to the west of the existing operation, a new site access is proposed to be created from Pen y Bryn near the Oaks, at the current closed junction with the formally diverted Crown Road. Personnel and light vehicular would use this access point. All heavy site vehicles would use the existing site access at Ffordd y Gyfraith.

### Employment

The current site provides jobs for approx 63 people and a similar number of jobs would be anticipated during the working of the extension site.

### Site Supervision, Complaints, Site Liaison and Technical Working Party

It is anticipated that the applicant, Celtic Energy Ltd, will operate the site using their own plant and work force, and contractors hired to carry out drilling, blasting and other ancillary work. Any complaints would be received at the site and Site Liaison Committees and Technical Working Parties set up to consider issues in relation to the operation of the site.

### Restoration Bond

It has been indicated by the applicant that they would enter into a Legal Agreement to contribute to a restoration fund at a rate of £3/tonne of coal. This would provide a fund of £7.2 million which could be added to £4.73 million from the existing fund.

## **3. THE ENVIRONMENTAL STATEMENT**

An Environmental Statement (ES) has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. In the process of the planning application, amended plans, surveys and information on a range of issues

have been provided and constitute additional environmental information in accordance with the above regulations.

The following chapters summarise the broad appraisal and comments of the environmental effects and other impacts and considerations within the Environmental Statement, and all other documents and plans submitted as additional information.

### Landscape and Visual Assessment

The visual impact of a proposed development has been considered within the Environmental Statement and four broad zones of landscape character have been identified which are the Afon Cynffig Valley, open fields to the north and east, scrub lowland to the south west and the central domed area. A selected range of views and the likely sensitive receptors have been submitted and are identified as:

- Views from nearby settlements and roads
- View from settlements from the north and south
- Views from public rights of way, network and valued landscapes.

The methodology of the landscape and visual impact assessment describes and evaluates the landscape and visual amenity of the site and the surrounding area which might be affected by the proposed development, identifies and assesses the significance of the effects on the landscape or visual amenity, sets out mitigation measures which could be implemented to avoid and reduce the effects and also describes any enhancements to the landscape and visual amenity incorporated in the development proposals. Using grades for describing landscape and visual effects to determine the sensitivity or ability of the landscape to accommodate changes from the development and its magnitude, a similar approach is taken to assess the visual impact but relating to the sensitivity of the receptors i.e. viewers and location, and to the magnitude of change experience. The initial assessment was carried out in 2004.

The sources of potential impact include the initial operations set out above, the activity of extracting coal in a series of cuts over a period of seven years, and the restoration of the site over a further two and a half years. The main sources of the effects on landscape and visual amenity would be the extraction void, the diversion of the Afon Cynffig, the removal of landform features including woodlands, water courses etc, the construction of soil storage mounds and water treatment areas, the need to suspend public access, the continued features of existing operations, the

delay of restoring the site for a further ten years, and the final features and character of the restored landscape.

Whenever such landscape assessment is undertaken the ability of an area to accommodate change is a fundamental criteria in its assessment.

Supplementary visual impact assessment was carried out in November 2005, and additional information on landscape assessment in relation to the Neath Port Talbot LANDMAP and the historic landscape was carried out in June 2006. These are also summarised below.

The assessments included a series of photographs and photomontage details with the object of indicating the scale of the impact of the development over time.

In any such assessment the visual envelope, i.e. the areas from which views of the site may be available, is defined largely by topography, vegetation and settlement pattern. The ES identifies the visual envelope for the site as the Cefn Cribwr ridge in the south extending into Kenfig and Pyle, the western rim leading from the A48 and extending up to the hinterland of Mynydd Margam and Cwm Cynffig. The visual envelope extends down along Craig yr Aber and also along the northern ridges above Craig Fadog and Cwm Nant Gwyn in the Bridgend area.

The assessment includes views from nearby settlements at Heol y Glo in Penybryn, Bryndu Fach Farmhouse and a viewpoint from Crown Road near the Oaks. Views from settlements on the hills to the north and south include an assessment from Ton Philip Farm north east of the site boundary, Kenfig Hill near the Woodstock Inn south of the site boundary, the bus Stop in Cefn Cribwr and a viewpoint from Bedford Road . Views from public rights of way and valued landscapes have also been assessed from a footpath near Brynbach to the southeast, and the public footpath No.84 near Brynhyfryd in Penybryn. A further assessment was submitted in 2005 which concentrated on the impacts of the main extraction void, the backfilling and the western limits of the surcharge mound. Visibility maps were submitted in order to identify the parts of the settlements which would be afforded views of the features of the extension. The zone of visual influence were reconsidered and the effects of the development on parts of settlements with and without views of the extension features and the timeline of visibility on what might be seen and when. These detailed studies of visibility from Penybryn, Kenfig Hill and Cefn Cribwr were further summarised and indicated that the ES as supporting the assessment of predicted visibility and which are described and as follows.

- The visual impact on more elevated views in Penybryn was assessed as substantial, although short-term, in the initial phase of constructing the north-western soil storage mound, reducing to moderate during the main excavation period. A further short period of substantial impact was predicted during removal and spreading of soil from the storage mounds. During the after care period as the vegetation features became established, the additional hedgerows and tree belts were assessed as a moderate beneficial impact.
- In near views from the settlements on the hill to the south of the site (which include Kenfig Hill), the impact of the extension features and activities were assessed as significant throughout the extension period, with little opportunity for mitigation. During the aftercare period, the impact was assessed as becoming increasingly beneficial with the establishment of the previous landscape character and additional woodland and wetland features.
- In open views from Cefn Cribwr, the visual impact of the extension features and activities would be significant throughout the extension period, but there are opportunities for mitigation. These included reducing the overall extent of areas appearing disturbed by establishing the landscape associated with the realigned Afon Cynffig as early as possible. The visual impact from the extension of the time during which the features of the existing site would remain and the delay in restoring the site was assessed as moderate. The visual impact of the proposed restoration was assessed as slightly beneficial as the extension area would not appear very much different from in present character.

An additional landscape assessment identifying the Landscape Character Areas for the Neath Port Talbot and Bridgend areas and an assessment on any impacts on Historic Landscape was carried out in 2006. The Landscape Assessment is based on the Neath Port Talbot Land map published in December 2004. The assessment indicates that there will be a substantial effect within the extension site but suggests that it would not effect the overall landscape of the Coed Hirwaun LCA. It is argued in the ES that much of the extension site has also been subject to disturbance from previous mining and the main effect would be the removal of Hafodheulog Wood and the pastoral landscape surrounding it. The ES is of the view that landscapes of recognised historic importance would not be affected and that restoration proposals would seek to re-establish the

landscape so that in the long term the landscape character and historic landscape character would not be adversely affected.

Mitigation measures proposed for adverse landscape and visual effects include treatment of features on the existing site and those created during the extension operations, advanced restoration features, progressive restoration of backfilling areas, management during operations and the restoration of an appropriate landscape.

### Ecology

The phase 1 vegetation and habitats survey identified species poor, semi improved grassland, marshy grassland, improved grassland, broadleaved woodland, hedgerows, lines of scattered trees, dense scrub and scattered scrub and running water.

The extension site can be identified as having improved grassland centrally and to the west of the 6 hectare broadleaved Hafodheulog wood. Semi improved neutral grassland and poor semi improved grassland and scrubland and marshy grassland lies in the south west. Woodland belts are found along the field boundaries in the south west and central part. The Afon Cynffig flows through Hafodheulog wood, and the watercourse is classified by Environment Agency Wales as being a River Ecosystem Class 1 (the highest quality). It is typically some 3 metres wide with moderate to fast flowing water. The combined ecology of this stretch of the Afon Cynffig and the woodland is considered of County Nature Conservation Value. The woodland is recorded in the Inventory of Ancient Woodland for Glamorgan of 1986 and is classified as Ancient and semi natural Woodland. Two way-leaves cross the woodland in an east west direction one for a power line one for a gas pipeline. A Phase 2 survey indicated that the woodland is composed of a mixture of large oaks, hazel, downy birch with sycamore, and occasional alder being the more prominent tree species. The survey recognises a range of ground species which are typical of such habitat. The survey also recognises it as a semi-natural ancient woodland, although it suggests that there may have been an area of clear fell that is now dominated by young alder. The survey suggests that the range of ground flora is not outstanding but has a range of typical woodland species including eleven species regarded as being indicators of ancient woodlands in Wales. These include bluebell, sanicle, remote sedge and monchatel.

Hedgerows vary in quality and nature. Some hedgerows have features considered as “important” under the Hedgerow Regulations however the



E.S. does not identify these as “qualifying” because of the lack of woody species. Some have certain species, like blue bell, that are afforded protection under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended).

There are smaller areas of woodland within the proposed extension area which are in parts some 100 metres wide. Scattered broadleaf trees are found along mainly the central hedgerows of the site.

Approximately 400 metres south east of the extension area lies Waun Cimla SSSI, with Brynbach, Cefn Cribwr SSSI 1km to the southeast. Waun Cimla SSSI is a wet lowland heath and grassland and a complex mosaic of plants. Cefn Cribwr SSSI is composed of a fen meadow and soligenous mire. This forms part of the Cefn Cribwr Grassland Special Area of Conservation (SAC), a site designated under the Habitats Directive as being of European importance for the presence of marsh fritillary butterfly and purple moor grass. Cwm Risca Meadow SSSI lies 1.5km away, Margam Moors SSSI, Eglwys Nunydd Reservoir SSSI and Kenfig SSSI/SAC/NNR are further afield to the west and north.

### Hafodheulog Wood

Specific measure for Hafodheulog wood include transplanting of selected mature and semi-mature trees to new location. Soils from the woodland would also be placed in designated areas, ground flora translocated and dead brushwood placed to encourage invertebrate fauna to flourish.

### Badgers

Badger setts are found within and adjacent to the site and have been the subject of surveys in 2004 and a further territorial survey and analysis in 2005/2006. Broadly it is considered that there are two social groups within the site having a territory of 76 hectares centrally and to the north of the area and a further group to the south. A further set lies to the north outside the boundary. Setts and latrines cannot be identified specifically in order to protect the location and setts.

The applicant recognises that the retention of the setts is not possible without major revision to the scheme and loss of coal. Setts on the periphery could be retained and mitigation is proposed by seeking a gradual shift of the affected population by a phased programme of alternative setts being constructed. It is proposed that these would be

within the development boundary and at least 30 metres from the excavation limit. Some 6-8 artificial setts would be required over the duration of the development. Four years would be available to create two artificial setts. To provide such setts and foraging areas it may be necessary to relocate the proposed soil storage mounds during development. The E.S. accepts that there would be loss of foraging ground but it would be the aim to maximise grassland areas and maintaining linkage of grasslands and encouraging earthworm population.

### Bats

Bats were found to be roosting within Hafodheulog wood and species include pipistrelle, natterer's and long eared bats. Specified trees have been identified for one species or the other. Bats have also been found in and around Bryndu House Farm.

It is now recognised that some trees particularly at the southern end of Hafodheulog wood are utilised by bats for roosting and that Bryndu House is also occupied by bats. Foraging areas would be affected also by the extension area. Compensatory measures are put forward in the form of bat boxes within these areas particularly to the north of the site and the translocation of some semi-mature and mature trees. It is also proposed to construct a bat cave within raised ground by the river diversion and to erect a purpose designated bat house. Advanced restoration within the existing site is also proposed as a form of foraging ground with the object of providing flight line features. Habitat improvement and management of hedgerows along with long term woodland areas is put forward as mitigation.

### Otters

Surveys indicate that there is suitable otter habitat and cover for breeding at certain parts of the Afon Cynffig in particular within the northern part of the woodland which is intended to be retained. Additional information states that otters are using the river within the site and the fisheries found a healthy population of brown trout. However, no evidence of breeding was found however potential habitat is available.

The E.S. indicates that the proposal could set back renewed use of the river by otter. Mitigation is suggested by specifically designed features in the river diversion and the development of suitable habitat in

embankment and the introduction of fish. A riparian corridor along the existing Nant Graig yr Aber is also proposed.

### Wolverines and Dormice

No sign of wolverine has been found. However there may be opportunities to provide suitable conditions in the restoration scheme. Statutory Consultees requested a survey for the presence of dormice to be taken in Hafodheulog wood because they have been recorded to the south and north of the proposed extension area. Little or no opportunity for nesting sites were found and actual food supply was low and it is argued that the woodlands is not suitable for dormice.

### Marsh Fritillary butterfly

One field in the south western corner of the site was considered as having the potential of being suitable for marsh fritillary. Some 1 hectare of land is required for water treatment facilities at this location. The presence of devil's bit scabious is limited around this area however no larval webs were found. The E.S. concludes that the loss of approximately 1 hectare of potential habitat would not be detrimental to the species.

### Protected Birds

Bird surveys undertaken primarily found species associated with woodland and hedgerows. Some 25 species were identified in the winter with some forty five species during the breeding survey. Four of the species, fieldfare, merlin, barn owl and peregrine falcon are on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). The Red Data Birds recorded within the extension area were peregrine and fieldfare but did not appear to be nesting in the area. Merlin was recorded on only one occasion Peregrine, were heard/seen in the northern part of Hafodheulog wood, and Barn Owl on adjacent land to the north.

Five species were recorded as priority species for action in the UK BAP. Song Thrush was recorded breeding in southern part of Hafodheulog wood and in scrubland and around Bryndu House.

Skylark was found in the pastures to the north and tree sparrow recorded foraging in Hafodheulog wood. Linnet was found in the south east, and bullfinch in the northern part. Lapwing was only found foraging. All the above except, tree sparrow are listed as LBAP species. Six of the bird species are recorded on the RSPB redlist of species of high conservation

concern i.e. skylark, song thrush, starling, tree sparrow, linnet and bullfinch. Starlings were found foraging but not breeding.

A further seventeen species of birds recorded are listed in the RSPB amber list of species with medium conservation concern.

Birds could be affected by the loss of foraging areas which include Merlin, Peregrine, Barn Owl and Fieldfare. The E.S. suggest that such birds and other Red Data species would have sufficient foraging ground in adjacent areas and the forward grass mounds would also provide similar terrain.

The E.S. and additional information states that there would be an effect on nesting and foraging opportunities for birds identified as UKBAP and LBAP species or conservation concern but are not considered critical. Mitigation in the form of nest boxes, retention of some woodland and creating compensatory habitats such as hedgerows and woodland is proposed in the overall restoration strategy.

### Other Species

Survey results indicate a diverse fauna in the Hafodheulog wood/Afon Cynffig area and the south western corner of the site where woodland, scrub and grassland would be of most interest. A small number of notable Red Data Book (2) snail *Lymnaea glabra* (Lymnaeidae), the nationally scarce harvestman (*Dicranopalpus armosus*) and heleonyzid fly (*Smilla vaginata*). Additionally the snail species, *Vertigo substriata* is an indicator species for primary woodland.

Some invertebrates would be lost particularly in Hafodheulog woods. However the retention of hydrological conditions is considered adequate to protect the Red Data book snail *Lymnaea*.

### Amphibians and reptiles

No evidence of any amphibians have been recorded within the E.S.

### Fisheries

Following a fisheries survey in 2006 it was deduced that the stream has a healthy population of bullhead, lampreys, low eel stock, trout fry and a diverse aquatic invertebrate population. The environmental information refers to bullhead, lampreys and eel as species of conservation concern in

Britain and Europe. The report states that the development would have significant impact on the Kenfig system in terms of aquatic fauna but states that whilst the present ecosystem of woodland and stream could not be fully recreated the rerouted stream could provide a good physical habitat for fish species present. Recommended mitigation such as fish rescue, harvest of ecological habitat, and design construction is put forward as compensation.

### Brown Hare

It is acknowledged in the E.S. that CCW have sited Brown Hare in their visits and their presence is known. This UK and NPTDAP priority species is not likely to be materially affected as they could colonise the soil mounds and progressively restored areas according to the environmental information.

### Overall mitigation enhancement measures for habitats

Habitat creation and mitigation is proposed through the incorporation of features within the diverted watercourses and streams and the incorporation of woodland along part of the diversion. A graduation of wet woodland to dry upper slopes is also proposed. The design would also take due regard of the advice from the River Restoration Group.

Habitat creation is proposed for protected species. The importance of Hafodheulog Wood is recognised and the use of topsoil and trees from the woodland into designated woodlands in the restoration is proposed. Continuing consecutively and to avoid conflicting habitat interests is also seen as important. A detailed scheme is proposed to be submitted to deal with such issues.

Longer term management by means of a Legal Agreement is also proposed and is put forward as a means of dealing with design and management aspects.

The loss of Hafodheulog wood and other broadleaf woodland is proposed to be replaced in other areas bordering the Afon Cynffig or in other belts across the restored area and it is intended to transplant some of the trees from the woodland.

Hedgerows introduced in the restoration scheme and restoration of soils into designated areas could be carried out to restore grasslands. It is

recognised in the E.S. that such mitigation measures cannot compensate for all such impacts in the shorter term.

Celtic Energy has therefore recognised the importance of habitat creation through careful design and management. The company has emphasised that it is prepared to enter into a legally binding agreement in which monitoring and management would be undertaken for an agreed period during and after the completion of operation with input from statutory bodies and conservation groups.

### Noise

The Environmental Statement and additional details and correspondence set out the ambient noise monitoring at 8 different locations within Pen y Bryn, and Kenfig Hill. The results indicate a range of ambient noise levels measured as LA90dB (1 hour). The lowest levels were recorded at 8 Talbot Road, Kenfig Hill at 38 LA90db and the highest was at the Oaks in Pen y Bryn 47 LA90dB.

Predicted noise levels using a site noise computer programmer for different phases of the development are set in the E.S. utilising a 1 hour period corresponding to maximum site activity within the period of working, the plant to be used in each phase, the noise output and the overall effects of attenuation including surface topography etc.

During this phase of site clearance, e.g. tree felling, hedgerows removed, soil stripping and creation of soil mounds and the operations for the river diversion and buttress for water, it is indicated that noise would be in the order of 67dB(A) Leq 1 hour.

The main operation of overburden removal and backfilling are predominately carried out below surface level although some surface activity would be inevitable. The predictions show noise levels within 55dB(A) Leq 1 hour during these works with the exception of 56dB(A) Leq at Haulfryn.

During this final void phase, all of the noise predictions are either 55 dB(A) Leq (1 hour) or less.

In respect of restoration, because of a greater number of plant movements on the surface average noise levels are higher but also do not exceed 56dB(A) LAeq (1 hour) at Talbot Road and Haulfryn.

The applicant Celtic Energy do not dispute that the differences between the background L90 levels and the predicted LAeq levels exceed the guidance set down in BS4142 and in so doing may be interpreted as potentially likely to cause complaint.

The application refers to the number of complaints between 2000 and 2004 i.e. 6 and suggest that noise levels effects have been minimal. The applicant also consider that the absolute level are no worse than those experienced by the public in daily use.

The developer would utilise the following procedure to minimise noise arising from the site.

- Close supervision of activities.
- Efficient mechanical plant and silencing equipment fitted and maintained.
- Smaller, less noisy plant used whenever possible.
- Operations to be screened as best far as practicable.
- Consideration of weather conditions that could affect noise i.e. wind direction etc.
- Dismantling of overburden, soil mound etc. with outer faces removed last.

The applicant, Celtic Energy anticipate through the E.S. that the proposed operations would be similar to those experienced by the locality at present and that these levels have not been sufficient to affect residential amenity or cause expressions of concern. Celtic Energy would look to discuss noise mitigation techniques and noise monitoring with local authorities and introduce additional means where practicable.

### Dust

Dust at opencast sites can be generated during all operations and can cause environmental problems if transported offsite. Potential for dust is affected by weather conditions, and the level of preventative measures and mitigation carried out on any site. The Environmental Statement examines the potential for dust generation for the application site identifying unsurfaced haul roads, the loading of dump trucks and the tipping of material as potential sources. Blasting operations can produce dust from drilling operations and the blasting event. Stripping of soils and the formation of soil mounds would be carried out in dry weather and is also a source of dust.

Mitigation would be carried out by the use of water bowsers, collection of drilling arisings and dust, limiting the heights of unloading dump trucks, and the seeding of non-operational areas, over burden mounds and soil mounds. Weather monitoring would also be carried out and, if necessary, operations on site that could give rise to dust would be halted until such time as control measures were effective. Exhaust from site vehicles would also be directed away from the ground.

Coal stocks would be limited and contained in the rail pad facilities. Their height controlled and vapour masts provided to minimise risk of wind blown dust.

The Environmental Statement takes note of the impact of meteorological conditions in particular wind pattern in the locality and rainfall totals. The ES notes that the wind pattern is generally south westerly, however there is a significant component from the north east. Rainfall data also indicates that an average year 40% of the days are wet. The site would be subject to authorisation under Section 7 of the Pollution Prevention and Control (England and Wales) Regulations 2000. Amendments would be made to this authorisation if necessary.

The ES identifies dust nuisance typically associated with accumulations on property whereas dust that could affect health is essentially an issue which is considered separately. The ES considers the number of complaints received in the period from 2000-2004. Sixteen such dust complaints were received during this time. Dust monitoring has been carried out at Margam and Parkslip West since the commencement. Results indicate over the period 1997-2004 that the average was 55 mg/m<sup>2</sup>/day with 200 mg/m<sup>2</sup>/day being exceeded on one occasion. The monitoring results relate to properties in Crown Road and Swn yr Afon in Kenfig Hill. The ES indicates that dust monitoring techniques would be proposed for the working of the proposed site.

### Dust and Health

The ES indicates that studies and information in relation to air pollution and its possible effects on health have been carried out over many years. The dust fractions considered to be potentially hazardous to health are less than 10 microns in size, commonly called PM10s. The ES refers to the government published UK National Air Quality Strategy that identified targets to be achieved by 2005. The National Air Quality Strategy based on the 1995 Report of the Expert Panel on Air Quality



Standards recommended a minimum standard of 50 ug/m<sup>3</sup> as a 24 hour running mean. This target on the advice of EPAQS was considered a level at which *the risk of adverse health affects on any individual would be very small (of the order of 1 extra admission to hospital for treatment of lung disease per day in a population of 1m)*. The Committee on the Medical Effects on Air Pollutants (COMEAP) (1995) also concluded that *in the absence of strong evidence the relative effects of different particles in the respirable range, it seems reasonable at present to base policy on PM10 measurements*. A revised strategy was published in January 2000 which confirmed the limit of 50 ug/m<sup>3</sup> for the 24 hour rolling mean but reduced the annual mean to 40 ug/m<sup>3</sup>. Measurements of PM10 particles have been undertaken in South Wales and at Margam Opencast site using a measuring instrument called a TEOM. Annual data recorded at Margam showed 24 hour means in the range of 20-23 ug/m<sup>3</sup>. On the few occasions that the absolute levels of 50 ug/m<sup>3</sup> have been exceeded, it has been shown to be a reflection of national trends. The ES indicates that there is little evidence of any link between the incidents of opencast coal workings and increased prevalence of respirable illness or asthma. A study to ascertain whether particulates (dust) from opencast coal mining had any effect upon children's respiratory health was carried out by researchers at the Department of Epidemiology and Public Health, Newcastle University on behalf of Central Government, and published in 1999. The study concluded that *"The respiratory health of children living in communities close to opencast sites was very similar to that of children living in communities distant from such sites"*. The ES bases its comment and view on the above.

### Blasting

Blasting is required to loosen and fragment harder strata overlying coal seams. Blasting must be achieved without causing damage to properties and structures and the applicant recognises that blasting may be a cause of concern in the locality. The ES identifies two aspects that could be of concern namely ground vibration and air over pressure. The ES indicates that the best criterion for assessing ground and structural disturbance is by measuring peak particle velocity (ppv). The ES indicates that the agreed safety standard below which brick and stone structures in reasonable condition would not be damaged by ground vibrations is a ppv range of 19-50 mm per second. Blasting at all opencast coal sites is controlled so that ppvs at residential or similar sensitive properties would not exceed 12 mm per second or such figure as agreed with the Mineral Planning Authorities. The ES indicates that blasting techniques have been adopted at Margam and blasting events monitored to record that actual vibrations

remain within approved limits. The applicant indicates that all blasting would be carried out in accordance with good blasting practice to minimise any concerns.

Air over pressure are airborne waves generated by blasting principally affected by atmospheric conditions. Blasting techniques have reduced the number of air pressure complaints in recent years. The ES indicates that a system of warning of impending blasting would be agreed and that the hours of blasting would be limited to 1000 - 1200 hours and 1400 - 1600 hours Monday to Friday, and 1000-1200 hours on Saturdays. Blasting would be preceded with audible and visible warning methods and carried out in accordance with regulations of HM Inspectorate of Mines and Quarries.

Records between 2000 and 2004 indicate three complaints about blasting at the site and the ES identifies that ppv levels have generally been less than 0.5 mm/second ppv at properties with no exceedence of the recognised threshold of nuisance of 4mm/second ppv. The ES considers that the developer could operate and maintain the effects of blasting to a reasonable level.

### Water Management

The Margam extension opencast site is located entirely within the Afon Cynffig catchment. Calculations of mean annual flood have been carried out for this catchment and the adjacent Nant Craig yr Aber. The Nant Craig yr Aber has been diverted to accommodate the existing opencast development and is also affected by mine water discharges from abandoned mine workings within the northern areas above the site. Ferruginous deposits affect the quality of the river habitat. The Afon Cynffig head waters are of a good and consistent quality.

The working of the Margam extension site would require the diversion of approx 850 metres of the Afon Cynffig and increase the watercourse length by 1000 metres. The diversion would have a notional gradient ranging from 1:70 to 1:140. The diverted watercourse would rejoin its original route prior to an existing brick arched culvert beneath the mineral railway line at the southern end of the site. The diversion has been modified from the original ES by the submission of amended plans, an updated scoping report on flood consequences assessment (July 2005), and a watercourse diversion report (June 2006) including cross sectional details and hydraulic calculations. Flow assessments were also undertaken and the consideration of general design. The ES considered

any increased flow rates and any risk of increased flood potential. The additional information considered catchment analysis and flooding. The Scoping Report Flood Consequences Assessment has considered any changes in the catchments to the Afon Cynffig and the current diverted watercourse, Nant Graig yr Aber. Within this assessment calculations have been provided to predict any impacts downstream with respect of flooding and water quality and quantity. The Water Diversion Report published in 2006 expands these considerations further and prepared outline typical channel sections, the likely requirements are stone armouring, outline designs for a hydraulic control pond, and a general comment on the stream diversion with respect to the anticipated settlement associated with the mine backfill, including estimates of the leakage through the channel liner. Typical cross sections showing the geometries anticipated along the route accompany the proposals. The reports conclude the need for specific design to provide the necessary variation in width and gradients particularly with regard to habitat creation and hydraulic flow along the diverted watercourse. Precise design of the restoration features is a matter that is proposed to be reserved under conditions. Ecological issues in respect of the river diversion are considered separately.

The ES acknowledges the need for comprehensive drainage and surface water control. It also identifies the need to avoid damage to watercourses, ensure drainage is not affected or rendered less efficient, prevent damage by erosion, silting or flooding, and the need to settle suspended solids before entering any watercourse. Protection from oil or mechanical plant would be carried out by provision of oil traps, septic tanks and containment bunds. Additional comment was provided in July 2006 on the potential for pollution during construction and post-construction phases. The operating company considers that the existing arrangements can be extended to provide no greater risk than at present. Additional locations for consent sampling points would be required for the additional facilities to be constructed on the south western corner of the site.

### Hydrogeology

The proposed site is located within the former Bryndu and Mill Pit deep mine areas. The current Margam site is pumping water which drains from the Bryndu workings and the Mill Pit workings and opencast backfill to the east which has the effect of continuing to maintain lowered water levels in these workings. The thrust zone separating Bryndu workings from Newlands Colliery is a significant hydrogeological barrier. The fault limiting the southern workings of the former Newlands

Colliery forms a hydrogeological barrier between the carboniferous coal measures to the north and the triassic beds to the south. Kenfig Pool is located on triassic beds 2km south of Newlands Colliery.

The ES includes a hydrogeological assessment which considers the geology, former mining and hydrology of the site and its surroundings with further assessments carried out for the existing hydrogeological regime, any effects during the working of the Margam Extension site, and the rebound circumstances after the restoration of the site. Water balance and the potential for acid mine drainage has also been considered. The excavation area would reach an approx level of -45 metres AOD which is some 85 metres below the discharge level at the Bryn Du Engine Shaft. The temporary cessation of discharge from the Bryn Du Engine Shaft would continue. The ES considers that this discharge has no significant impact on drainage or wildlife and amounted to a very small portion in the total flow in the Afon Cynffig. Water would continue to drain from the opencast backfill to the east from the Mill Pit workings previously encountered and from the Bryndu Workings connected to the Margam Opencast phase. Pumping would be carried out to maintain sufficient drawdown of the water table and would be discharged via the site water treatment areas to the Afon Cynffig catchment. No licensed or unlicensed abstractions have been identified within 500 metres of the proposed excavation. It is anticipated within the ES that on the restoration of the proposed site the spill point for ground water at Bryndu Engine Shaft would recommence following a rebound of ground water to a level of 40 metres AOD. It is anticipated that the discharge will continue to have a neutral to slightly alkaline ph and a low iron content and high alkalinity similar to the hydrochemistry found at the site prior to the working of the extension site. Further information following concerns on the potential impact of the development hydrogeologically on the Waun Cimla SSSI, the Cefn Cribwr Grassland SAC, and an appraisal in the form of a geological section was provided. Based on this information, the developers viewpoint is expressed within a letter dated 26 July 2006 suggesting in spite of the presence of former coal workings and drift mines, there is no evidence of any hydrogeological connection between the working site and these grassland areas of national importance. In respect of concerns with the Kenfig SAC, reference was made to a geological fault between the Carboniferous Lower Coal Measures/Millstone Grit and the Triassic Cooper and Rhaetic Series. The applicant, in the additional information provided within the letter dated 26 July 2006, is content that this faulted zone would form an aquiclude and concludes that it is therefore entirely reasonable to state that the fault would be a significant hydrogeological barrier in the context of

movement of groundwater and consequently no effect hydrogeologically could be inflicted upon the Kenfig SAC.

All the above issues in relation to water environment will be considered and assessed below.

### Lighting

The ES identifies the need to illuminate working areas, site offices and other operational areas during darkness. Lighting would be either portable or fixed in nature. Lighting used in the working area would be kept below surrounding ground level where practical and screened if possible. Lighting would also be directed to ensure that there is no nuisance from glare, particularly to highways or occupiers of residential dwellings. Outside operational hours some lighting would be necessary for security and safety.

### Archaeology

The ES includes an archaeological assessment which identifies the planning history and archaeological interests within and in the immediate surrounding areas of the site. The archaeological assessment identifies primarily post medieval archaeological interests within the site mainly in the form of sites associated with the former Bryndu Colliery. The ES indicates that the proposed opencast extension would not directly impact on the two sites of national/regional interest, i.e. the Bryndu Works Engine House 1 and the Bryndu Works Engine House 2. The applicant proposes a programme of conservation and interpretation of these as part of the mitigation. The opencast would have a severe effect upon the Bryndu Works Office, a site of regional/local significance insofar as the building would have to be removed as part of the proposed operations. A full record and building survey would be made of the site prior to its demolition. Insofar as other features of the Bryndu Works affected by the development which includes sluices, leats and bridges further survey and recording would be undertaken. The ES considers that the effect of the proposed opencast extension on any unknown potential archaeological resources can be mitigated by means of a watching brief. The ES concludes that the effect of the development can be reduced to an acceptable level. There are no identified setting issues regarding listed buildings. No historic landscapes lie within the extension area however the impacts of the development and the setting of such areas will be considered under the visual impacts of the development. It should be noted that the archaeological report identifies the nearby Scheduled

Ancient Monument of the Bryndu Coke Ovens located to the south of the site boundary which was closely associated with the Bryndu Colliery.

### Restoration and Aftercare

The ES includes a section on restoration and aftercare which outlines the restoration objectives and reasoning behind the restoration strategy. The original ES contained a written description and an indicative plan of the land use proposed following the completion of mining works. A further plan was provided in December 2005 indicating proposed restoration contours, enclosed agricultural land, broad leaf woodland, unintensified grassland and scrubland, wetlands and a reed bed in the central part of the site. The diverted water courses of Nant Graig yr Aber and the Afon Cynffig would remain on their diverted course. The factors taken into account in the restoration strategy include:

- To create a landform and land use pattern broadly in keeping with the surrounding countryside
- Drainage of the restored site influenced by the catchment of the Afon Cynffig
- The reinstatement of stopped up highways and public footpaths
- The introduction of nature conservation interest areas and habitat creation
- The constraints of the soil resources available on the site and the possible future pattern of ownership and tenure of the restored land.

The proposed contours show some degree of change to the original landform with a hill immediately to the east of the existing Hafodheulog Wood forming an enclosed valley side to the diverted Afon Cynffig. Levels achieved at this point are some 10-12 metres above original ground levels at its highest point. Smaller valley features are also shown reaching to the north east of the extension area and to the south in the middle ground of the extension site. Both of these water courses are intended to join with the diverted Afon Cynffig before it leaves the site at its existing point on the southern boundary of the site. The contours on the eastern and northern fringe of the extension area marrying with the existing land profiles outside the application site. The proposed contours on the existing opencast area reflect the strategy approved in the previous consents with the exception of the revised contours for the Afon Cynffig diversion and the raised hill associated with that area.

The dominant proposed land use is enclosed agriculture divided and enclosed by hedgerows and fencing where appropriate. Blocks and linear belts of predominantly broad leaf woodland are proposed to provide the landscape of a similar character to that which existed prior to working. Opportunities to use existing lagoons as water features and the creation of a reed bed along the course of Nant Graig Yr Aber would provide a major feature. A network of public rights of way would be created to restore existing routes and a new network of improved public access. Crown Road and Bedford Road would be reinstated to provide through roads from Heol y Glo/New Road to Kenfig Hill, Cefn Cribwr and beyond. The proposed routes are different from those which existed prior to suspension and the opportunity has been taken to create alternatives which are believed to offer greater access and interest. Some progressive restoration could be carried out within the core of the site and some additional features including the realignment of Afon Cynffig and the proposed site access from Crown Road (The Oaks) would be completed prior to the cessation of mining. The restoration strategy includes specific operational techniques and the use of soil resources. Grassland specifications for high agricultural quality, medium production and light grazing uses, and wet pasture amenity uses have been outlined.

Woodland belts would follow parts of the Afon Cynffig diversion and linear routes along proposed public footpaths. Some of these connecting to a remaining portion of the Hafodheulog Wood at the northern end of the extension site. Further woodland belts would be created in the south eastern corner where the existing main overburden lies. The Afon Cynffig diversion will be set in a rock cutting for the initial 300 metres of its length which would remain as a feature following restoration. Woodland areas would include sessile and pedunculate oak, wild cherry, ash, rowan, japanese larch, scots pine, norway maple and silver birch. Periphery scrub would also include alder, holly, blackthorn, hawthorn and hazel.

Following the restoration of the working area, the land would be subject to aftercare and maintenance for a minimum period of five years with grazing control, fertiliser application, soil structure development and drainage along with the necessary standards to produce agricultural land, conservation interests and woodland restoration. Annual programmes would be agreed and it is proposed by the applicant that all areas of non-agricultural land would be managed for a period of ten years by agreement. Longer term management of the land would be dependent upon eventual land ownership and tenure.

The applicant has also offered to enter into a legally binding agreement for the longer term management of habitats.

The applicants also indicated that they would contribute to a restoration and aftercare fund.

### **Alternative Options**

The ES includes an assessment on alternative options for other coal sites, watercourse diversion, the retention of Hafodheulog Wood, new site access, revised rail facilities and no extension option and conclusion. These are summarised below.

#### **Other Sites**

The ES considers the specific character of the high volatile bituminous coal that could be won at the Margam Extension. Such coal is found on the southern margin of the South Wales Coal Field and apart from the sites in the vicinity of the proposal, has been worked at Llanilid West Revised and in the past between Pencoed and Bryncethin. It is stated in the ES that the coal in the Margam Mine (Deep Mine) Reserve is of similar quality but more suitable for coking purposes and is argued as being currently uneconomic to work. The ES argues that the high volatile bituminous coal available in England cannot be transported to South Wales economically. The ES also states that this would have a knock on effect on the South Wales Coal Industry and the Power Station at Aberthaw. English coals are also higher in chlorine and may not be suitable in blends for supply to Aberthaw. Knock on effects on employment and shifting the burden is considered within the ES as not being an option, and suggests that collectively these factors form the prime reason why coal has continued to have been worked at Margam and previously at Park Slip for many years. The ES states that the site has been designed to ensure maximum recovery of the coal in a manner consistent with the protection of the environment.

#### **Watercourse Diversion**

The applicant has looked at possible alternatives which relate to the retention or otherwise of the watercourse. It is estimated that a site retaining a watercourse and its knock on effect on site design and safety considerations would produce approx 1.5 million tonnes of coal (some 0.9 million tonnes less). The applicant has rejected this option on economic viability. An alternative western route was considered



although this would have a knock on effect on the depth and width of the required route and would also involve the interference of the high pressure gas pipeline on the north of the site. On balance, the developer has proposed the eastern option for a diverted watercourse based on physical and ecological considerations.

### Retention of Hafodheulog Wood

It is acknowledged in the ES that Hafodheulog Wood is a significant feature on the landscape and is a linear feature which embraces the Afon Cynffig watercourse for much of its length. Secondary consideration in retaining the Hafodheulog Wood was put forward to the applicant during the planning application process, however, for similar reasons in respect of the watercourse diversion, physical and economic factors persuaded the applicant to maintain the proposal as it stands. In considering the alternatives, the ES indicates that a remnant block of two hectares that will remain between the road and the limit of excavation at the northern end of the site could be supplemented by additional planting and the overall loss of woodland would be minimised.

### New Site Access

Consideration has been given to an alternative access to the one proposed off the northern edge of the closed Crown Road junction on Penybryn Road. Alternatives from the south through Bedford Road and Crown Road were dismissed primarily on traffic generation through residential areas. An access from the west towards Bryndu Fawr was also considered but discarded because of its remote position. A new general access point for personnel in light vehicles off the northern end of Crown Road is maintained.

### Revised Rail Facilities

As part of the overall assessment, Celtic Energy investigated alternative locations for the coal handling facilities and the related rail pad. Alternatives to the east and west of the present coal handling facility were considered but Celtic Energy could not see any reasonable justification in seeking an alternative, however, it is acknowledged that the site is a source of nuisance and the company will undertake whatever actions are deemed appropriate to improve the operations at this point.

## No Extension Option

The ES indicates that to adopt a position not to work the site would be to deny a market of a much needed supply of coal and would not be sustainable. It is argued in the ES that Aberthaw Power Station would be seriously affected as that station was built to burn a medium volatile steam coal. It is stated that such supplies are currently not available and blends of high and low volatile coals have to be provided. The Margam coal is argued as being a vital part of this supply chain and also markets of low volatile anthracite coals could otherwise become unsaleable. It is also stated that without Margam Extension coal there would be a threat to other coal sites in the region, knock on effects on other industrial users, and the coal industry in general in South Wales.

## Conclusion

In assessing all reasonable alternatives the applicant, Celtic Energy, state in the ES that the chosen option of the Margam Extension will enable recovery of a much needed resource in the most environmentally acceptable and sustainable manner and that is the case presented by the applicant in the main body of the ES.

## **4. PLANNING POLICY**

### National Policy

The UK strategy on sustainable development have five main objectives in relation to mineral development. These are:

- i. To conserve minerals as far as possible whilst ensuring an adequate supply to meet the needs of society for minerals;
- ii. To minimise production of waste and to encourage efficient use of materials, including appropriate use of high quality materials, and recycling of wastes;
- iii. To encourage sensitive working practices during minerals extraction and to preserve or enhance the overall quality of the environment once extraction has ceased;
- iv. To protect areas of designated landscape or nature conservation from development, other than in exceptional circumstances where it has been demonstrated that the development is in the public interest; and,
- v. To minimise impacts from the transport of minerals.

Planning Policy Wales (PPW) makes it clear that the planning system has a fundamental role in delivering sustainable development and that it is necessary to balance and integrate a range of competitive objectives in order to meet current development needs whilst safeguarding those of the future. These objectives are described as

- Social progress that recognises the needs of everyone;
- Effective protection of the environment;
- Prudent use of natural resources;
- Maintenance of high levels of economic growth and employment.

Para 2.2 of PPW also sets out the following principles which underpins the Assembly's approach to planning policy for sustainable development. The most relevant in this case is:

- Putting people and their quality of life at the centre of decision making;
- Respect for environmental limits so that the environment is not irreversibly damaged which includes protecting and enhancing biodiversity, minimising harmful emissions and promoting sustainable use of natural resources;
- Applying the precautionary principle where risks are uncertain;
- Using scientific knowledge to aid decision making;
- Taking account of all costs and benefits including non-monetary ones.

PPW, among other policies, encourages the conservation of natural historic and cultural heritage, reducing pollution and promoting good environmental management. It also promotes employment opportunities and the protection of people's health and well-being, protecting statutory designated sites and protected species, and the creation of new opportunities to enhance biodiversity or compensate for losses. PPW also advises that the planning system has an important role to play in minimising the adverse effects of environmental risks, particularly for people and natural and cultural resources by preventing or managing pollution and promoting good environmental practice.

Mineral Planning Policy Wales (MPPW) is the National Assembly's primary minerals policy document. Para 5 states

Mineral working is different from other forms of development in that:

- extraction can only take place where the mineral is found to occur;
- it is transitional and cannot be regarded as a permanent land use even though operations may occur over a long period of time;
- wherever possible any mineral workings should avoid any adverse environmental or amenity impact; where this is not possible working needs to be carefully controlled and monitored so that any adverse effects on local communities and the environment are mitigated to acceptable limits;
- when operations cease land needs to be reclaimed to a high standard and to a beneficial and sustainable after-use so as to avoid dereliction, and to bring discernible benefits to communities and/or wildlife.

Para 10 provides further explanation on the essential role of mineral planning authorities in relation to mineral workings to ensure that a proper balance is struck between the fundamental requirement of society's need for a wide range of minerals, the need to ensure a prudent use of finite resources, the protection of the existing amenity and environment. Para 10 also goes on to say that any effects on local communities and the environment must be minimised, and thereafter ameliorated to an acceptable standard. In certain areas mineral extraction may not be acceptable. It also states that where a proposal for mineral extraction would cause demonstrable harm to the environment or amenity, which cannot be overcome by planning conditions or agreements, planning permission should not be granted. MPPW states that the overriding objective is to provide a sustainable pattern of mineral extraction by adhering to five key principles:

- provide mineral resources to meet society's needs and to safeguard resources from sterilisation;
- protect areas of importance to natural or built heritage;
- limit the environmental impact of mineral extraction;
- achieve high standard restoration and beneficial after-use;
- encourage efficient and appropriate use of minerals and the re-use and recycling of suitable materials.

The Draft Minerals Technical Advice Note 2 (Wales) on Coal contains additional advice on four of these principles. The fifth strand, to encourage efficient and appropriate use is considered as a function of energy policy. The Draft Coal TAN also identifies best practice for a range of issues.

These principles and best practice will be considered further in the report within the assessment.

In respect to energy minerals, Para 61 of MPPW states that the objectives of the government's central energy policy is to secure diverse and sustainable supply of energy at competitive prices. It also states that this objective takes in the government's concern for the environment, health and safety, and a fair deal for all consumers, as well as its commitments to all aspects of sustainable development, and while UK coal is available, and the generators continue to chose it, UK coal contributes to energy diversity and supply.

Para 62 of MPPW specifies requirements that all opencast development proposals should meet, otherwise they should not be approved. These are:

- The proposal should be environmentally acceptable or can be made so by planning conditions or obligations, and there must be no lasting environmental damage;
- If this cannot be achieved, it should provide local or community benefits which clearly outweigh the disbenefits of likely impacts to justify the grant of planning permission;
- In National Parks and Areas of Outstanding Natural Beauty (AONBs), proposals must also meet the additional tests;
- Within or likely to affect Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs), Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar Sites must meet the additional tests;
- Land will be restored to a high standard and to a beneficial and suitable after-use.

### Other National Advice and Guidance

Several other National Assembly Technical Advice Notes are relevant to this application. TAN 5 (1996) Nature Conservation and Planning (and a Draft Consultation) provides advice on the protection of flora, fauna and natural habitats, protected species and the creation and management of landscape features important to wildlife. TAN 11 (1997) on Noise provides guidelines on the degree of acceptable noise levels, its control and the use of suitable planning conditions. TAN 15 (2004) Development and Flood Risk provides advice on drainage systems. TAN 18 (1998) Transport promotes the use of freight by rail.

Certain paragraphs in MPG2 (1988) Applications, Permissions and Conditions, and all annexes attached to MPG3 (1994) Coal Mining and Colliery Spoil Disposal, apply. Paragraphs 3 and 4 of MPG7 (1989) also apply.

### Consultation Draft MTAN 2 (Wales) Coal

Mineral Planning Policy Wales and the current draft consultation MTAN on coal follow key principles that should be considered in the determination of mineral application. Four of the five key principles are set out below. The fifth relates to efficient and appropriate use of minerals and is a function of energy policy.

a) Providing coal resources to meet society's needs

Issues in relation to energy policy and coal supply have been considered above with regard to the requirement for extraction of the mineral resource.

Paragraph 34 of the draft MTAN on coal introduces the policy of separation zones for coal development.

Paragraph 35 states that "An inner separation zone of 200m from a defined settlement should be classed as a High Constraint and an outer separation zone between 200m and 350 m from a defined settlement as a Medium Constraint.

Areas of High Constraint include International and National Designation of environmental and cultural importance and settlements and their inner (200m) separation zones."

Paragraph 38 states that "other than reasons set out in paragraph 32, the mineral planning authority would not permit coal operations in areas of High Constraint."

It goes on to say that "areas of Medium Constraint include:

- designations of regional or local importance;
- outer (200m to 350m separation zones around settlements;
- and additional areas identified by the SEA/SA of the development plan.

Paragraph 40 states "In the outer separation zone (200m to 350m), coal operation may be permitted to remediate land damaged by shallow workings or mine waste, or where surface dereliction overlays shallow reserves of coal and coal extraction is the best sustainable option and meets the tests in MPPW."

Operations may exceptionally be considered within the outer separation zone when

- topography, natural features such as woodland or existing development, would significantly mitigate impacts;
- major roads or railways lie between the settlement and the proposed operational area;
- the proposal is of overriding significance for employment and economy in the local area.

### Structure and Local Plans

The Adopted Structure and Local Plans make up the development plan for this area. Several policies apply from the West Glamorgan Structure Plan (Review No 2). Policies EQ5 to EQ8 seek the protection of woodlands, nature conservation areas, heritage features and a safeguarding of rivers and inland waters. Policy M2 sets out a criteria to be considered under any mineral development proposal and will form the main framework of assessment for the application. Policy M3 considers cumulative environmental impacts, and M5 land stability and substance. Policy M6 refers to specific mineral development details, and Policy M10 the need for restoration guarantees. Policy C1 seeks protection of the countryside, and Policy C5 considers appropriate development in the open countryside. Policy T9 promotes the use of rail facilities.

The Deposit Draft Neath Port Talbot Unitary Development Plan has similar policies to protect the countryside, the environment and natural heritage, and also sets out criteria for the consideration of coal and mineral applications. However, there have been objections to the countryside and environmental policies that relate to this application, and therefore little weight can be given to these policies. However, policies GC2 and M8 are applicable as there have been no objections. Therefore considerable weight can be given.

The Deposit Draft Local Minerals Plan for West Glamorgan has been adopted for development control purposes and has a range of policies that relate to the impact of mineral developments that need to be considered.

The Deposit Draft Port Talbot Local Plan has been adopted for development control policies and has relevant policies relating particularly to the protection of the environment adverse impacts and Margam Deep mine development.

The Bryn, Goytre and Margam Local Plan has been adopted, and in fact is regarded as the Development Plan, but, in development control terms, has been superseded by the Draft Port Talbot Local Plan.

## **5. ASSESSMENT**

The principal policy relating to this development is Policy M2 of the West Glamorgan Structure Plan (Review No. 2). The following appraisal relates to the ten factors of this policy and other material considerations.

### **i. The requirement for extraction of the mineral resource**

The Margam Extension seeks to mine 2.4 million tonnes of coal. The coal seams are of a high volatile bituminous type which is used in power station blends and as direct supply to industrial plants such as cement works and steel works. Celtic Energy state that unlike many of its competitors, it is able to supply a broad spectrum of customers due to the diversity of the coal qualities that it is able to mine, ranging from high volatile steam coal to the low volatile anthracites, and that it supplies 70% of its sales to the electricity and industrial markets, 20% to the UK domestic market, and 10% is exported. The Margam Extension would seek to produce identical coal to that already mined and maintain a supply to those markets.

The Company presently has no other consented reserves of high volatile coal, other than at the Margam site. Production is consented until January 2007.

Similar coal of the quality found at Margam Extension occurs at the southern margin of the South Wales coal field. Similar coal has been won most recently in Llanilid West Revised and previous sites. Deep mines at St Johns and Llantrisant also provided similar qualities. It is stated in the ES that the Margam Mine Reserve (Deep Mine) is of a similar quality but more suitable for coking purposes and it is put forward by Celtic Energy that exploitation of that deposit is currently uneconomic. There are no other sources of supply of bituminous coal in South Wales available at the present time.



As part of a statement in relation to economic issues and the need for the coal, Celtic Energy have also stated:

“There are no other available sources of such coal in the region, and production of high volatile coal in England has diminished significantly over recent time. Any reduction in the supply pattern which exists at present would encourage imports to the obvious detriment of the South Wales coal industry and the jobs which it supports, and to the UK economy as a whole. It is necessary therefore to maintain sufficient reserves of each type of coal to meet market specifications. Celtic Energy has a major Coal Preparation and Distribution facility at Onllwyn to enable coal from Margam and from its anthracite sites to be blended for markets, and the overall viability of the company and the 300 direct jobs which it provides would be seriously jeopardised if the full range of coals and the necessary continuity of supply are interrupted. The production from Margam is transported by rail and that from Margam Extension would be taken to Onllwyn and elsewhere in the same manner.

Without reserves capable of being worked, there will be no assured supply for the markets, and no assured future for the Company, for jobs, or for the communities which rely upon the coal industry. The Company cannot afford to carry large stocks of coal on the surface, and must attempt to meet demand as it arises. It is therefore a simple fact that the coal industry exists to meet the requirements of the markets. The coal from Margam Extension is a key strategic reserve of national significance required to ensure that Aberthaw Power Station and UK cement manufacturers can continue to receive supplies of indigenous coal to the benefit of the regional and national economy.”

In this respect, it is recognised that UK generators have increasingly resorted to imported coal for both economic and chemical consistency considerations. Celtic Energy seek to justify the need for the proposed Margam Extension coal on the basis that it is essential for blending to ensure that it can meet the specification for its markets. This is particularly with regard to its supplies to Aberthaw Power Station. Many of the low volatile anthracite coals mined by Celtic Energy at other sites cannot meet the Aberthaw specification without blending with coal with a higher volatile content such as the Margam Extension coal. This may be the case, however, the Margam Extension coal is not the only coal that could be blended

with low volatile coals to meet the Aberthaw specification. These could be provided from England or imported, however, it is recognised that the cost of transport may make these alternatives less economic. On a stand alone basis, there is a market for the Margam Extension coal to the cement industries and particularly if certain seams were segregated, to the steel industry. There is also a possible market for supplies to the Uskmouth Power Station although this is not mentioned in the Celtic Energy submission and it could also be used in Power Stations in England. Without blending Margam Extension coal is unsuitable as a supply to Aberthaw directly.

The 2006 Energy Review report published by the Department of Trade and Industry in July 2006 built on experience gained and changing situations since the last Energy Review in 2003 and encourages the need to reduce carbon emissions and meet UK energy needs in an environmentally sustainable manner. In this Review the Government makes clear that it supports a market based approach to energy policy and the case for significant intervention in markets on supply security grounds, remains weak. The Government believes that it is right to make best use of UK energy sources including coal reserves where it is economically viable and environmentally acceptable. The underlying message is that for coal to have a long term future, associated heavy carbon emissions must be tackled. Whilst coal makes a valuable contribution to energy security, and the flexibility of electricity generation sources, the Government is not prepared to reserve a special place for coal in the energy mix unless the environmental impact can be effectively managed.

New coal fired power stations utilising clean coal technology have been proposed to fill the gap in power generation capacity, however, they are significantly more expensive to construct than gas fired plants and the lead times from initial design to commissioning are longer. It is therefore considered that demand for coal for power generation may increase in the short term and fall back towards the end of the next decade. Import capacity has increased rapidly in recent years and world trade in seaborne coal has increased beyond 500 million tonnes and secure economic supplies can be obtained from a wide range of international sources. The Government states in the Energy Review report that it is content that the markets and infrastructure are well developed and in place to support the effective importation of coal that is traded on global markets and that are capable of adjusting to changes in demand and supply.

Celtic Energy state that the Margam Extension coal is not only required for their own blending requirements and viability but would also be of benefit to the national and regional economy as a whole. The contribution of the Margam coal to the suite of coal products that Celtic Energy aims to produce and the overall economic benefits in job retention are recognised. It is necessary to balance the impacts of the proposed development at the Margam Extension site against the requirements and needs of the mineral taking due regard in this case alternatives in the market place and the utilisation of other supplies for blending. This is addressed in the conclusion of this report.

ii. The extent to which the proposal contributes towards or is detrimental to the achievement of sustainable development.

National policy for the delivery of sustainable mineral development is set out above within the UK Strategy on Sustainable Development, the objectives of Planning Policy Wales and those policies set out in MPPW and the Draft MTAN (Wales) on Coal.

It is recognised that sustainable development includes the need to ensure an adequate supply of minerals to meet the needs of society. The planning system also needs to balance a range of competitive objectives in order to meet current and future needs. This involves taking due regard of social progress and the needs of everyone whilst protecting the environment, making prudent use of natural resources, whilst also maintaining high levels of economic growth and employment.

Coal can only be worked where it is found. The coal from the site would contribute to the needs of society in general. It is therefore necessary to consider if the coal that is found in the Margam extension can be won without being in conflict with the other objectives of sustainable development.

Other relevant objectives of sustainable development requires mineral development to be carried out with sensitive practices and to preserve or enhance the overall quality of the environment once extraction has ceased. Designated landscape or nature conservation areas and built heritage should be protected from development unless exceptional circumstances dictate and the development is in the public interest. Environmental impacts must also be limited to an acceptable level and that a high standard of restoration and after

use can be achieved. PPW has a number of principles which follows the National Assembly's approach to planning policy for sustainable development, the most relevant in this case are putting people and their quality of life at the centre of decision making, ensuring that environmental limits are respected and that the environment is not irreversibly damaged, applying the precautionary principle where risks are uncertain, scientific calculation to decisions and taking account of all costs and benefits including non-monetary ones.

In this case, it is considered that there are identified significant impacts that conflict with the objectives of sustainable development listed above.

- iii. The impact on landscape, countryside resources, wildlife habitats and species, and features or resources of conservation value, particularly those protected or designated under statutory powers.

### Visual Impact and Landscape

The current site would be extended in length in a westerly direction by some 800 metres towards the communities of Penybryn and Kenfig Hill. The current overburden mounds and void are noticeable within the landscape and have a continuing impact on visual amenity from a number of locations. By extending the site westwards visual impact of mining operations would be significant from the higher ground to the south from Cefn Cribwr and Kenfig Hill. Views of the extension area and existing features are also affected from north and west but to a lesser degree.

As the void extends in a westerly direction, views from the north eastern corner of Kenfig Hill in particular will be dominated by continued excavation works, although works at depth in the void would be out of view during most of the operations a section of the high wall would be continuously visible. The impact on visual amenity of the reconstruction of the surcharge mound initially, the diversion of the Afon Cynffig, and the continued movement of plant in and out of the void would also comprise a substantial detrimental impact on the environment and the general amenities of the surrounding area. Soil screening mounds will mitigate partially any views into the working void from properties in Penybryn to the north west of the site, however, first floor rooms in adjacent houses will also have views into the void particularly during the later phases of the development. Views from the higher ground to the north is mitigated to a certain extent by distance, however, the overall

impact in visual terms is still considered to be significant. The visual amenity from surrounding rights of way to the south of the development in particular will be substantially affected by the surface mineral working. The mitigation measures proposed involve a partial grassing up of progressively restored land and the initial completion of the river diversion and some associated landscaping on the existing features of the site. There is little or no scope to screen the mineral surface working from those higher viewpoints to the south, and the advancing works would have considerable visual impact on properties particularly in the Kenfig Hill area. Operations of such nature would continue for some seven years and constitutes a significant length of time whereupon it is considered the mitigation measures would only provide a nominal softening of the overall visual impact.

The diversion of the Afon Cynffig will also create a rock escarpment for the first 300 metres of the diversion of the Afon Cynffig which will constitute an uncharacteristic feature within the landscape. Mitigation on this feature is considered to be limited.

The extension area is located in an area identified as a Green Wedge known as Margam under Policy ENV2(v) of the Deposit Draft UDP. In such areas developments which would prejudice the character of the land would not be permitted, however, operations including mineral extraction may be allowed providing they would maintain the openness and character of the Green Wedge. The extension area is also located in the LandMap Character Area known as Coed Hirwaun which is considered as a landscape of moderate to high value except for those areas already blighted by current opencast activities. The development would also remove most of the Hafodheulog Wood that is situated south of Penybryn Road and this constitutes a significant landscape feature in the valley.

The area to be occupied by the extension site forms only part of the Coed Hirwaun LandMap Character Area, however, it is considered that the degree of change is so significant that the proposal is in conflict with the Green Wedge Policy ENV2(v). Policy DC3 of the Deposit Draft Minerals Local Plan also indicates that planning permission should not be granted unless visual impact can be reduced to an acceptable level. It is considered that, notwithstanding the mitigation and proposed restoration and aftercare strategy for the site, the landscape of the area would be affected in a detrimental and significant manner.

The historic landscape designations of nearby Merthyr Mawr, Kenfig and Margam Boroughs, and Mynydd Margam as listed in the Register of

Landscapes of Special (Or Outstanding) Historic Interests in Wales are not considered to be affected unduly by the proposal. A similar viewpoint is held by CADW and the Countryside Council for Wales.

### Nature Conservation Interests

The application site has a diverse and important range of habitats, wildlife, flora and fauna and the impacts of the development on these nature conservation interests are considered below.

### Hafodheulog Wood

The proposal would lead to the loss of approximately 5 hectares of this ancient semi-natural woodland, which lies on the banks of the Afon Cynffig. The woodland is considered to be at least 400 years old and it is identified as an Ancient Semi-Natural Woodland and is considered of County Importance under the inventory compiled by CCW. It has a variety of community types, ground flora and wildlife, represents a rare and important natural environment. The woodland is inherently valuable for its species, plant communities and habitat diversity which arises from a mixture of soil types, stream flushes and good structure. It also has an important landscape function and provides ecological linkage in an already fragmented area. The woodland provides a link between wooded areas to the north and south.

Planning Policy Wales (para. 5.2.3.) states that “ancient and sound natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage.”

The Welsh Assembly Government's Wales Woodland Strategy "Woodlands for Wales" (2001) seeks to decrease fragmentation of woodlands in Wales and includes the commitments to increase the quality, area and connectivity of native woodland habitats. This is transposed into National Planning policy through paragraph 5.2.8 of Planning Policy Wales 2002. This states that

‘Trees, woodlands and hedgerows are of great importance both as wildlife habitats and in terms of their contribution to landscape character and beauty. Local Planning Authorities should seek to protect trees, groups of trees and areas of woodlands where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands are irreplaceable habitats of high biodiversity

value which should be protected from development that would result in significant damage’.

There is little doubt that the woodland is of a high ecological value with a significant range of trees, plants, birds, animals and insects. This habitat type is identified in the UK BAP as being of high conservation importance and is mirrored by its inclusion in the List of Species and Habitats of Principal Importance for the Conservation of Biological Diversity, published by the National Assembly for Wales in 2002.

The Draft Coal MTAN also indicates where coal extraction would destroy or degrade these designations (ancient woodland) it should only be permitted if the reclamation benefits would outweigh the demonstrable harm.

The Afon Cynffig runs through the woodland and forms a significant relationship in ecological terms with this habitat. Policy EQ5 of the West Glamorgan Structure Plan seeks to protect and improve woodlands, particularly those remaining areas of ancient and semi-natural woodland. Similarly Policy ENV5 (a) and (c) of the Neath Port Talbot UDP seeks to protect significant local habitat and species, and wildlife corridors. The loss of Hafodheulog Wood would be contrary to these policies.

#### Other trees, woodlands and flora

The proposal also involves the loss of significant areas of trees, hedgerows and grasslands and it is considered that there will be an adverse affect on biodiversity through their loss although restoration would re-establish such cultures.

#### The Afon Cynffig

The diversion of this river can only be carried out within certain parameters. Given that the diversion will occur in made up ground, the channel would need to be constructed within certain design limits which include linings, rock bases, etc. Whilst it is intended to provide a diverse and changeable gradient with pools, riffles, etc, there is concern that ecological diversity would be constrained by engineering requirements. Typical cross sections and intended design features have been submitted and these aim to replicate the current environment and habitat of the wooded valley. However it is considered that the potential to replicate the biodiversity of the Hafodheulog woodland and its associated water environment in its entirety would be limited.

In the Environment Agency have confirmed that they are not satisfied with the level of information provided to date for the reconstruction of habitats of the Afon Cynffig. They consider that the current details and levels of information does not indicate an acceptable level of mitigation and therefore consider that the proposal is not sustainable.

They consider that, as it stands, the proposal would undertake maximum damage and disturbance of a significant length of salmonid river without giving due regard to how compensation and mitigation would alleviate the long term impact on the Afan Cynffig and that they cannot be met through planning conditions.

### Badgers

Badgers are protected under the Protection of Badgers Act 1992 and the proposal will result in the loss of the current badger setts affected by the extraction limit and other operational areas. Concern is expressed by the Countryside Council for Wales in that there is insufficient area in which to relocate the badgers and are equally concerned over the loss of foraging ground and how this can be compensated. CCW consider that the likely impact of the development would force the badgers westwards or northwards into adjoining territorial areas and have an effect on other badger groups for competition for food and territorial aggression. There is, therefore, serious doubt if the development could proceed without some loss of this badger population.

### Bats

All bats and their places of rest are protected under the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats & c) Regulations 1994. The felling of woodland would result in both resting places and breeding sites being affected, and a licence under the Conservation (Natural Habitats & c) Regulations 1994 would be required. The Planning Authority also has to have regard of the EU Habitats Directive 92/43/EEC. CCW consider that if there is inadequate mitigation then there is likely to be an adverse impact on the bats that may affect their Favourable Conservation Status. Some additional mitigation in the form of a purpose designed bat house may be sufficient. However, unless such mitigation measures are successful, there could be an adverse localised impact on these species.



## Otters

Otters have been recorded using the Afon Cynffig within the site. Otters have only recently returned to this river catchment and following severe declines in the 1970's. It is anticipated that the loss and disturbance to the Afon Cynffig will significantly impact upon the ability of existing species to recolonise this area. The mitigations proposed for the loss of habitat for the otters is the creation of suitable habitat as part of the river diversion scheme. The diversion scheme is unlikely to replicate the existing channel and may therefore not be suitable for otters to utilise at least in the short and medium terms as vegetation cover and fisheries could take years to develop sufficiently and provide nesting or breeding locations. Therefore there are measured impacts on this European Protected species.

## Dormice and Water Voles

The absence of recorded dormice and water voles suggest that no specific loss would be incurred. However, the importance of Hafodheulog Wood as a wildlife corridor must be recognised linking the already fragmented population of Dormice to the north.

## Lymnea glabra

The *Lymnea glabra* snail has been found in a small stream to the south of the site and any loss of this population could result in the extinction of the species from the Welsh fauna. Satisfactory hydrological conditions could be maintained so that the species should not be adversely affected.

## Moths

Information and representations regarding the moth population has been considered, however, no specific mitigation is thought necessary in this case. Loss of habitats, such as the woodland of Hafodheulog, may result in losses of moth species in the area. However, habitat retention and creation may aid in mitigating this loss.

## Birds

All nesting birds are afforded protection by the Wildlife and Countryside Act 1981 (as amended).

Two Schedule 1 birds have been recorded to forage within the site namely Peregrine Falcon and Merlins. These birds are protected all year round under the W & C Act 1981 (as amended). The main impacts of the proposal upon these birds is the loss of both breeding and foraging habitat. It is therefore possible that population numbers may be reduced. Species of conservation concerns or BAP priority species have declined nationally and locally.

A number of notable species recognised to be of principal importance for biodiversity in Wales under Section 74 of the CROW Act 2000 (WAG 2003) and an RSPB (Red List) and UK BAP importance, such as linnet, song thrush and skylark and housesparrow breed and nest on the site. Bullfinch, spotted flycatcher and treesparrow and starlings are also noted. Many other birds are also recorded.

The reduction of feeding and nesting opportunities could have an adverse effect on populations although the mitigation measures proposed should limit such effect. It is considered that whilst there will be short term impacts upon bird species in the longer term, mitigation measures should reasonably compensate the loss in habitat provided there are sufficient populations found locally to allow for inward migration to the area. This may not be the case for species such as the tree sparrow that is not found elsewhere in Neath Port Talbot.

#### European Sites of Nature Conservation

CCW are now satisfied that the proposal will not result in any significant effect either alone or in combination with the current mining activities, on the two Special Areas of Conservation, Cefn Cribwr grasslands and Kenfig. In addition no effect on the Waun Cimla site of SSSI is anticipated. It is therefore deemed that the Planning Authority need not carry out appropriate assessment under Regulation 48 of the Conservation (Natural Habitats & co) Regulations 1994.

#### Cultural and Historical Interests

The impact on historical landscapes are assessed above. With regard to archaeological and historical features within and adjacent to the site, the Bryndu Engine House 1 and Bryndu Engine House 2 have been identified as being of national and regional significance. Appropriate investigation and conservation works through the retention of these buildings would be satisfactory and provide sufficient mitigation during any operations. The loss of the Bryndu Works Offices which are in a poor condition is not

regarded as a significant loss. An archaeological watching brief for all operational areas would be sufficient to record any additional archaeological resources. The Glamorgan Gwent Archaeological Trust do not object to the development subject to controls. CADW refer to the adjacent Bryndu Coke Ovens which is a Scheduled Ancient Monument (SAM) immediately to the south of the site and do not consider that the extension would have a material effect on the setting of this SAM and others in the vicinity. The Bryndu Farm House is not a protected building, however, appropriate protection measures could be adopted to protect its fabric during any operations.

- iv. The extent to which the proposal is prejudicial to or consistent with recreation and tourism strategies, policies and proposals.

There are no identified recreational and tourism uses on the application site and equally there are no strategies or proposals to utilise the area in a specific manner other than in the form of footpaths, bridleways and public highways. However, by its very nature, a large mineral development can inflict secondary impacts on recreational habits within the locality, particularly by the severance of public highways, footpaths and bridleways, and the overall effects in amenity terms by virtue of visual intrusion, noise, dust, blasting and mineral traffic. The current operational site has a number of rights of way and two public highways suspended in order for operations to be carried out in a safe and satisfactory manner. In geographical terms the public highways of Bedford Road and Crown Road provided a link between the communities of Cefn Cribwr and Kenfig Hill respectively and the northern slopes of Margam, the village Penybryn and to Aberkenfig to the east. The extension area will also sever Footpath 85, a natural and remaining recreational link between Kenfig Hill and the outlying countryside to the north. The footpaths on the existing site have been suspended since the Parkslip West development started. Bedford Road was also suspended at the same time. Crown Road has been suspended since the start of the existing Margam opencast site. Alternative routes for Footpaths 85 and 84 could be provided.

The extension area encroaches on open countryside which forms a part of the overall landscape character surrounding the villages of Cefncribwr, Kenfig Hill and Pyle to the south, Penybryn to the north and west, and further to the north the Margam village at Coed Hirwaun, and the important rural environment surrounding Margam Park. There is evidence that recreational and tourism businesses exist immediately adjacent to the extension area in the form of horse related activity centres,

bed and breakfast establishments and some holiday lodges. Such land uses clearly have an affinity with the open countryside and any major mineral activity could have a negative effect on the overall enjoyment and recreational amenity of the area and these land uses. However, it is considered that the affect on recreation/tourism is not to a scale and degree that would warrant a refusal.

The Celtic Trail National Cycle Route 4 follows a route along Heol Y Glo however it is considered that such facility would not be materially affected by the development.

- v. The affect on the amenity particularly as a result of noise, grit, dust, smell or vibration

### Noise

Noise can have a significant impact on the amenities and potentially the quality of life to residents and users of the land surrounding a mineral development. As part of the application, details have been provided on background noise levels and anticipated noise levels during different phases of the development.

The noise survey has identified the local noise climate for various points. MPG 11 - The Control of Noise at Surface Mineral Workings provides advice on the monitoring and assessment of noise levels. TAN11 - also provides general points that are applicable for noise measurements and predictions. The draft Coal TAN indicates that to protect the majority of people from being seriously annoyed during the day time, the outdoor sound level from steady continuous noise would need not to exceed 55dB Laeq 1 hour. It also goes on to say that to protect the majority of people from being moderately annoyed during day time the outdoor sound level should not exceed 50dB Laeq 1 hour.

With the exception of preparation works, i.e the construction of soil mounds, screening mounds and water treatment areas, which will have temporary higher noise level events, it is noted from the noise survey information and predictions that at certain positions, particularly at Haul Fryn and Talbot Road in Kenfig Hill, that the difference between the measured background levels and the predicted operational noise levels exceed the differential likely to give rise to complaint as stated in British Standard 4142 1997.i.e. 10dB(A). A target level indicated by the Assistant Director of Public Protection for Bridgend CBC, of 46 dB Laeq 1 hour, at these points is thought to be achievable by the applicant by the

introduction of noise mitigation measures to individual items of plant. This would need to be successful. It is considered that there is a potential for complaint from the closest residents in Crown Road and Kenfig Hill unless adequate noise limiting provisions are provided. As indicated above given the general topography and location of the adjacent residential areas to the south of the extension area, noise screening barriers are not likely to be very effective.

Anticipated noise levels for general activities at properties within Neath Port Talbot, particularly at Ty Groes Wen and Hafodheulog Farm, indicate increases above 5db which have the potential to generate complaints. On the advice of the Environmental Health Officer, and following detailed consideration of the information provided, with particular emphasis on existing background levels, it is recommended that any operational noise limits for some of the noise sensitive properties within the Neath Port Talbot area be restricted to 51 db Laeq 1 hour, this is based on the background levels provided by the applicant at Hafodheulog, Hillcrest and Oakfield. A limit of 55 db Laeq 1 hour would be necessary at the Oaks. These proposed levels take into consideration the advice in the Draft Coal TAN.

Proposed operations of a temporary nature such as soil stripping and water treatment facility construction appear to be acceptable. Such levels however could be as high as 67db(A) Laeq which is the acceptable level indicated in the Draft Coal TAN. Noise impacts from associated operations such as traffic and train movements, are not anticipated to have a significant bearing on the amenities of the area. Limits on train loading and departures can be imposed.

Para 159 of the Draft Coal TAN states:

Noise can have a significant impact on the environment and on quality of life, to the extent of harming well-being. Dose-response relationships are not easily quantifiable. Noise results in emotional effects, annoyance and activity disturbance, such as sleep interference. Low-frequency noise causes extreme distress to people who are sensitive to its effects. Despite general agreement that noise can be a source of annoyance, there is little consensus about the levels of noise responsible for other effects on health. There is no good evidence linking noise with serious health effects, such as cardiovascular disease and mental illness.

Para 160 goes on to say:

Where coal extraction and related operations would occur close to noise-sensitive development, particularly residential, and noise impact cannot be adequately controlled or mitigated, planning permission should be refused.

Policy DC23 of the Deposit Draft Minerals Local Plan for West Glamorgan indicates that mineral development that would give rise to unacceptable disturbance as a result of noise should not be permitted unless the mineral developer can demonstrate to the Planning Authority that practical and effective controls or mitigation measures can be successfully implemented.

Noise complaints from the existing operations have been intermittent. Given the above advice, and on the basis of all information provided by the applicant, including detailed analysis of specific noise sensitive areas, it is considered that noise generation from main operational activities at certain locations would, at the very least, be borderline or just within acceptable limits. It is considered that during certain phases of the development, particularly when mining operations will be at its closest to properties in Kenfig Hill, and potentially to properties in Neath Port Talbot, noise levels could generate complaints and therefore there would be an adverse affect on residential amenity.

### Dust and Grit

It is evident from the level of representation received and the nature of complaints in recent years that the potential impact of the proposal on air quality in terms of nuisance dust and any potential effects on health constitutes one of the greatest concerns of the surrounding population.

The proposed opencast development inevitably has the potential to generate dust from a number of daily operations such as excavation works, haul road movements, blasting, mineral loading and wind blow across disturbed site surfaces. When dust generated from a site becomes airborne there is a potential for such dust and particulates to be transported off site and affect the amenity and general air quality of the surrounding environment.

It is appropriate that the assessment, parameters and issues in relation to emissions to air associated with opencast development are separated in the form of nuisance dust and those emissions in the form of particulates that could be associated with air quality and health.

## Nuisance Dust

Nuisance dust has the potential to have a significant effect on environmental amenity. The dispersal of dust is dependent on how long it remains airborne and is also highly weather dependent. Prediction can be difficult. Dust has been monitored at the existing Margam site for a number of years and as indicated above deposition rates, particularly close to Crown Road and Kenfig, on average have been of the order of around 55 mg/m<sup>2</sup>/day. Considerable concern and complaint is recorded from a number of locations surrounding the existing site alleging significant deposition of dust from the current operating site citing coal deposits as a particular problem.

Recognised standards for nuisance dust have not been formally reviewed for a number of years. The Draft Coal TAN refers to recent research into nuisance dust and concluded that the 'unofficial' level of 200 mg/m<sup>2</sup>/day, classed as a 'serious nuisance' is too high for amenity purposes. The initial advice suggests that 80 mg/m<sup>2</sup>/day as a weekly average measured at affected properties is an appropriate limit. Certain operations at Margam have the potential to generate dust that could impinge on adjacent or nearest dust sensitive properties. These include the stocking and handling of coal at the designated coal stocking area on the southern boundary, the loading of coal into rail wagons and the movement of earth moving trucks along unsurfaced haul roads and excavations in the void.

Soil stripping and soil bund construction activities may have specific problems of dust generation and would occur very close to properties, in particular Ty Groes Wen on the western boundary and to properties along Heol y Glo. Whilst these are short lived events, particular regard to wind direction and weather conditions would need to be applied during these operations. Blasting operations can also generate dust and would need adequate control.

The operator has put forward a framework of mitigation measures in order to prevent or reduce the potential of dust emanating from the site. As with all dust generating operations the effectiveness of mitigation against dust nuisance is significantly affected if the distance to dust sensitive locations such as residential properties is reduced. It is acknowledged that previous dust monitoring results do not indicate a breach of the intended limits set out in the Draft Coal TAN. However, the recorded dust deposition rates in Kenfig Hill have, on occasions,

approached a moderate level. Any additional dust generation could generate more complaint.

Specific attention has been carried out in the recent past to provide vapour masts at the coal stocking area, and the treatment of loaded coal in train wagons with a dust sealant. Continued operations at this location could generate more complaint, and in particular in association with the coaling operations along the southern extremities of the extraction limit during the initial phase which will bring the extraction area to within 140 metres to the nearest residents. The associated movements of site plant and haulage vehicles at this location could also generate dust that could be detrimental to the amenity of the area.

It is considered that there is a reasonable prospect of dust being emitted from the site during specific conditions and phases that could provide some level of nuisance to the nearest properties.

### Air Quality and Health

Research been undertaken in the recent past on the issues of dust generation from opencast sites and any implications that this may have on human health. In March 1997 the Government publicised the UK National Air Quality Strategy. The strategy accepted that particulates may be injurious to health even though a mechanism for such an effect had not been identified. Various targets have been set including a minimum standard of 50ug/m<sup>3</sup> on a 24 hour running mean by 2005. A revised strategy in January 2000 confirmed the limit of 50ug/m<sup>3</sup> for the 24 hour mean but reduced the annual mean to 40ug/m<sup>3</sup>.

Annual data recorded at Margam showed 24 hour means in the range of 20-23ug/m<sup>3</sup>. When an exceedence of 50ug/m<sup>3</sup> has occurred, it has been shown to be a reflection of national trends or events.

Fine dust particles are reported to be one of the pollutants causing the greatest public health impacts in the UK which includes effects on respiratory and cardio vascular disease and increased hospital admissions for symptoms in people with heart and lung disease. Monitoring of the opencast developments in the Authority's area does not indicate any significant increase in PM10 levels that could be attributed to such sites. An increase of around 2ug/m<sup>3</sup> is considered to be a broad and contributory level. The Local Public Health Director of Neath Port Talbot refers to the evidence given by Dr Gwen Love in the Ffos-y-Fran opencast coal site Public Inquiry as being relevant to this case. The



Inspector referred to that evidence and stated "The overall conclusions of the Local Health Board are that the predicted levels of dust from the proposed scheme (Ffos y Fran) would be unlikely to have any noticeable individual adverse health effect but that impacts could be noticeable at the severest end of the spectrum, particularly for ill elderly people". Whilst this report related specifically to the Ffos-y-Fran proposal, the summary of the Merthyr Tydfil Local Health Board also states "on the current evidence presented, on an individual basis, for most people, including children, there is not likely to be any noticeable, individual adverse health effect from PM10 generation at the levels predicted, i.e. a mean rise of 2ug/m<sup>3</sup>".

Assessments have been carried out in terms of PM10 levels although it is the even finer PM2.5 particles that penetrate into the lungs. It is still recognised that the measurement of PM10s, which includes the finer PM2.5 particles, is an acceptable means of judging their significance.

The Newcastle University Study(1999) "Do particulates from opencast coal mining impair children's respiratory health?", which compared dust levels and health in communities close to and away from opencast mining statistics has been reviewed by the Department of Health's Committee on Medical Effects of Air Pollution (COMEAP), and their statement was as follows:

"The Committee on the Medical effects of Air Pollutants has considered a report of a research study undertaken by Dr Tanja Pless Mulloli and colleagues into the effects of opencast coal mining on the respiratory health of children in five pairs of matched communities one of each pair being close to and one distant from opencast mining sites. The study is of a high standard.

The Committee agreed with the findings of the authors of the report that:

Opencast coal mining was associated with a small increase in the mean concentration of airborne particles measured as PM10 in areas close to opencast sites. This was due to an increased concentration of shale; and

The respiratory health of children living in communities close to opencast sites was very similar to that of children living in communities distant from such sites.

Overall, the number of consultations made to general practitioners was similar for children who lived close to opencast sites compared to those who did not. However, there was a small increase in consultations for respiratory, skin and eye conditions in those living close to opencast sites in four of the five pairs of communities studied. Though the increase was

statistically significant, the average difference in the number of consultations between the communities close to and distant from opencast sites was small. In the absence of other evidence of effects it is not possible to be certain that these differences were due to opencast operations. In the fifth pair of communities consultation rates were lowest in the community close to an opencast site but these data were excluded because of the relatively few records available.

The Committee noted that the increase in particle concentrations close to opencast sites was not due to the release of coal particles but was more likely due to earth moving and excavation. From a planning perspective, the composition of the overburden is likely to be important: shale, for example, is less likely to have an effect than quartz. However, such increments in exposure to these materials may occur in local communities as a result of opencast mining operations are most unlikely to have any detectable effects on health. Nevertheless, the Committee recommended that efforts should continue to be made to control the emission of particles from opencast sites.

The Committee acknowledges that the short-term effects on children's respiratory health seen in this study are small. From what is known of the long-term effects of coal mining on the health of local communities, it is most unlikely that opencast sites would have any long term effects on health. However, the Committee recommends that as a precautionary measure, the modifications to the planning process suggested by the authors be considered by the relevant planning authorities and be incorporated in minerals planning guidance.

It is likely that each opencast mine differs from the last and the likelihood of any health effect will depend on the amount of pollution produced, the size of adjacent populations and prevailing wind directions”.

A Health Impact Assessment conducted by the Welsh Health Impact Assessment Support Unit and the National Public Health Service for Wales on behalf of the local Margam Opencast and Health Steering Group was carried out in 2005 . The HIA refers to a range of issues that cover the spectrum of environmental impacts largely considered in the material factors of this assessment. With particular regard to particulates, the HIA refers to more recent views from COMEAP in relation to daily and long term exposure to air pollution and their potential effects. It also indicates that combustion derived components of PM10s are also primarily responsible for harmful effects. The HIA, in its conclusions, indicates that the community feels misled and misinformed with conflicting statements and misinformation leading to an increased level of

stress and anxiety. The conclusions also refer to the overall impacts of the development on amenity and environmental disturbance and also suggest that there is sufficient uncertainty regarding the negative health impacts that there is a need to apply the 'precautionary principle' and not allow opencast mining to proceed in such close proximity to residential areas. The HIA also indicates that there is a negative impact on general well being of living near on-going opencast mining in the area due to the long term nature of the development. The HIA concludes that the likely negative impacts on health and well being of an extension to Margam opencast site are far in excess of any positive health impact. It recommends that the following principles should prevail in that individual health and well being should be the prime consideration and where there is doubt the 'precautionary principle' should be applied, the economics of coal extraction should not override the basic human rights of the local population and that sustainable development and a move away from reliance of fossil fuels should be an underlying aim.

Nitrogen dioxide is an irritant to the human respiratory system and can lead to measurable reduction in lung performance in people with asthma and increase the susceptibility of children to respiratory infections. Monitoring data in the Bridgend area of nitrogen dioxide indicate air quality to be well within current targets. Predicted ground level concentrations of pollutants resulting from plant exhausts indicates that the results show that whilst an increase in some of the pollutants is predicted these increases are not significant in terms of the current air quality objectives. It is considered that any contributing nitrogen dioxide from plant vehicle emissions from site operations would be very localised to the site area and would not contribute meaningfully to the surrounding and populated areas.

The Head of Policy and Administration (Air Quality) has no objection to the proposal on matters relating to health impact such as PM10 and nitrogen dioxide levels, subject to appropriate monitoring being carried out for the duration of any operations.

It is evident that small increases in particulate matter that could be generated by the opencast operations are, in all probability, less than normal day to day variations because of changes in weather etc. From the conclusions of the HIA it has been argued that the 'precautionary principle' should be applied. However, it is considered there is no overwhelming evidence that the predicted air quality levels would deteriorate from a direct consequence of the opencast development to such an extent that it would cause any significant effect on the general health of the community. Of more notable importance is the perception

by the local community that there is a serious risk to health and wellbeing if the development went ahead. This concern and anxiety is acknowledged and is a material planning consideration. However, there are no substantiated medical or scientific reasons to suggest that opencast coaling significantly contributes to adverse health and well being.

Having taken careful regard of all the available information and assessments, it is considered that any justifiable reason for refusing consent on health grounds cannot be sustained.

### Blasting

It will be necessary to carry out blasting at the site to loosen and fragment harder strata so that digging can be undertaken. Blasting can cause concern to communities close to mineral operations.

The provisions requested for blasting are outlined above. Blasting causes ground vibration, air overpressure, noise and dust and, on occasions, fly rock. These impacts are considered below.

The frequencies and levels that ground vibration is likely to cause any damage to structures is between 20 mm/sec peak particle velocity (ppv) at a frequency of 15 hertz or lower than 50 mm/sec at 40 hertz or above. It is recognised that blasting is perceived at much lower levels by people and also people react differently to any perceived ground vibration. The main fear by people is damage to property. Whilst it is recognised any vibration from blasting would be unwelcome, the draft MTAN for coal has guidance on maximum limits on vibration that should normally be achieved. It is suggested that a maximum level of ground vibration at vibration sensitive buildings should not exceed a ppv of 4 mm/sec in 95% of the blast measured over any 3 month period and no individual blast should exceed a ppv of 8 mm/sec.

The excavation area will, in general, be at least 200 metres from vibration sensitive properties although the southern most limit of the first phase of the extraction area will be 140 metres away at its closest point to Crown Road. It is stated by the applicant in separate correspondence that the initial strata on the southern limit of the extraction area may not require any significant blasting because of the nature of the overlying strata. Nevertheless blasting operations particularly at this distance and at 200 metres may well produce ground vibration that would be noticeable by residents. However blasting operations can be designed to take account of distances to nearest properties.

Planning authorities must consider if the proposals for blasting could prove to have a significant and demonstrable effect on other land users, residents and properties. It is considered that properties may well experience some form of vibration and air overpressure phenomena during the course of the development. Air overpressure impacts can be controlled by taking due regard of weather conditions and blasting design. It is likely that air overpressure impacts will be experienced on occasions within the locality. Taking due regard of the most recent guidance in the draft MTAN for Coal, it is considered that these impacts can be designed to be well within acceptable and recognised levels. Blasting can also produce unacceptable dust on occasions if not controlled adequately and mitigation methods are put forward to limit the generation of dust from such activities. Fly rock generation is not considered to be a significant prospect at this site and appropriate preventative measures can be adopted.

- vi. The benefit or detrimental impacts on the economy or investment, particularly creation of new or retention of existing employment and economic development strategies or proposals.

The proposal is anticipated to provide a similar number of well paid skilled jobs as the existing site which constitutes some 63 employees. It is acknowledged that salaries the in industry are likely to be above average for the area and that additional employment would be created by indirect services. Continued employment for a further seven years coaling would provide a reasonable and substantial contribution to the local economy. Representations from the workforce suggest that obtaining alternative employment for such work would also be difficult.

The applicant also sets out in additional correspondence and information the need for the coal at Margam extension as part of the overall capability of the Company to provide a full range of coals by blending coals from different sites for a variety of market uses. One of the primary uses would be to mix high and low volatile coals for power generation requirements. They therefore indicate that the coal reserve would also continue to benefit the regional and national economy and thereby indirectly secure a number of jobs provided within the overall company's structure.

It is also alleged that such major opencast developments prevent and discourage inward investment. There is no significant evidence to prove this factor, however, it is possible that any material and significant impacts from an industrial development such as the proposed Margam

Extension may discourage some rural businesses from expanding or being created. However, this assumption cannot be supported by any evidence. The contribution of the proposal to the social and economic structure of the area by providing employment and other demand for services are given due weight, in the conclusion.

vii. The effect on water supply, water quality, land drainage and water resources.

The proposed development constitutes some major impacts on the water environment. MPPW requires adequate protection to the quantity and quality of surface and ground water supplies and to ensure that changes in water table do not unacceptably affect water resources or sources of water.

Water Supply, Land Drainage and Water Resources

Hydrogeological assessments and water resource surveys indicate that there will be no direct or indirect effect on off site interests or water resources. The appraisal on ground water supports the view that the mining works will not inflict any detrimental effects on hydrogeological conditions and the Environment Agency is satisfied that such impacts would not be significant, however, a comprehensive ground monitoring scheme would be required to assess existing and proposed ground water discharges following restoration. It should be recorded that there has been a recent incident in the current workings where upon a temporary discharge of water through old mine workings from the Afon Cynffig was experienced in the existing working void. This failure appears to have been repaired and rectified satisfactorily.

In this case, if the development proceeded, the water course would need to be diverted in a purpose made channel. The suitability of the diversion channel has been considered. A water course diversion report has addressed previous concerns of the Environment Agency relating to the hydrology of the diversion which sets out basic hydraulic design and construction principles. The Environment Agency has no objection to the development on this issue subject to further details being submitted indicating water storage areas and pumped discharge and flow monitoring arrangements.

The diversion of the Afon Cynffig is a major construction and significant change in land drainage arrangements. Following consideration of the

above information and advice, It is considered that the diversion can be constructed in an adequate manner in engineering and hydrological terms.

Similarly the Scoping Report on Flood Consequences Assessment indicates that there will be no increase in flood risk or a significant change to catchment hydrology.

The Head of Engineering and Transport (Drainage) has also considered general land drainage arrangements and has no objection to the development subject to appropriate controls.

### Water Quality

Water treatment facilities on the existing site and additional provisions within the extension area would to provide a satisfactory and reasonable arrangement to prevent any polluted water entering surrounding water courses. The Environment Agency has no objection on this issue subject to a detailed scheme for pollution prevention measures being provided during the construction phase of the water diversion channel and during the mining operations.

The potential affect on groundwater from acid rock drainage has also been considered. Acid mine water drainage is a particular problem along associated areas to the east and an acid mine water treatment plant composed of settling ponds and reed beds forms part of the restoration strategy. However, within the site, it is considered that the subsequent backfilling of the Margam Extension site will not give rise to any significant problems for existing or new water courses in respect to acid rock drainage.

It is considered therefore that effects on these issues are acceptable.

viii. The adequacy and impact of the arrangements for access to the site and for transportation of material to and from the site.

It is intended to transport all coal from the site by rail freight utilising the existing rail pad facility at the southern end of the site. Policy T9 of the Structure Plan (Review No 2) encourages the use of existing rail facilities for any industrial developments. Paragraph 8.5.3 of PPW also promotes the carriage of freight by rail rather than by road. Activities at the rail pad have been the subject of some concern and complaint relating to dust and noise, however, with continued mitigation and controls the transportation of coal by rail is considered to be the most sustainable method .The

movement of mineral from the existing site is considered to be a reasonable and acceptable operation.

The proposed new access from Heol Y Glo at the currently closed junction with the formerly diverted Crown Road is acceptable highway design for daily movements of site personnel, visitors and light vehicles. The Head of Engineering and Transport (Highways) has no objection to the construction and use of the proposed new access subject to various conditions. The surrounding highway network towards Pyle and the A48 is narrow in places, however, it is considered that the continued level of traffic generated by the development will not affect highway safety or the amenity of residents along this route or any of the other highway routes that leads to the site in a significant way.

The existing access off Ffordd y Gyfraith will be maintained as the entrance point for site traffic such as heavy goods vehicles, plant and larger service vehicles. Access conditions have been acceptable for the current operations and no problems would be envisaged in the continued use of this access point for intermittent and low scale movements.

It is also considered that the limited amount of movements for personnel and light vehicles would not have a detrimental effect on recreation activities along the public highways such as horse riding, walking or cycling.

It is therefore considered that access arrangements and the transportation of the mineral can be exercised in an acceptable manner.

ix The proposals for landscaping, rehabilitation, restoration and aftercare and the opportunities offered for positive environmental and after use benefits including reclamation of derelict land.

The restoration and aftercare proposals indicated seek to provide a restored landform compatible with the landscape of the area, and also attempts to replicate and enhance the landscape, habitats and biodiversity found at the site prior to development.

The proposed restoration contours shows a modified landform in terms of levels, hills and features. The main strategy involves the creation of raised hills and water courses, the creation of productive agricultural land, the provision of woodland belts linked to the remaining areas of woodland on the existing site, and the diversion of the Afon Cynffig. In conjunction with these features, is the creation of reed bed and wetland areas and the



provision of a mine water treatment area on the existing site. Taking due regard of the restoration proposals, the changes to the existing landscape features are not considered to be insignificant.

The existing Afon Cynffig and the associated Hafodheulog Woodland is composed of relatively shallow gradient valley sides and associated habitat. The diversion of the Afon Cynffig initially will be set in a rock escarpment of significant length which will form an incongruous feature in the local landscape and the proposed steep valley sides arguably are not consistent with the current characteristics of the existing countryside. Whilst some of these contour levels can be modified to reduce some of the gradients, the southern facing slope of the escarpment of the diverted river course would have to remain because of topographical constraints adjacent to the site.

The proposed woodland planting along part of the diverted Afon Cynffig, and on the existing site, is intended to compensate for the loss of the existing woodland and biodiversity associated with such habitats and it is also intended to construct the diversion channel with variations to plan, bed width and bank angles. Translocation techniques would be carried out to encourage the reestablishment of macro and micro invertebrates at an early stage. Planting would also take place at an early stage along parts of the valley sides.

It is acknowledged that the proposed restoration and aftercare within the ES and additional commitments for habitat creation, sets out a strategy with the aim of recreating a landform and land use pattern broadly in keeping with the surrounding countryside. It aims to provide a variety of habitats along with the principle aim of providing a number of different agricultural uses based on different grassland specifications.

The proposed contours are influenced by the catchment of the Afon Cynffig, the reinstatement of public rights of way and highways, and the possible future pattern of ownership and tenure of the restored land. The principle land uses would be divided and enclosed by hedgerows and fencing where appropriate. Interspersed broadly woodland blocks or corridors create a linear theme throughout the restoration proposal.

The Regional Planning Adviser for Agriculture (WAG) is now satisfied that sufficient soil forming material will become available during the course of the excavations in order that adequate restoration of the site can be achieved. The Regional Planning Adviser also confirms that it is appropriate to specify agriculture as the main after use for the site and

that soil characteristics can be achieved to sustain productive grassland of continuing benefit to the local farming community. Appropriate agricultural restoration and aftercare conditions would be adopted in any approval.

The restoration and aftercare strategy does conform reasonably with the requirements of planning guidance where such land should be restored to a sustainable and beneficial after use. Further techniques in the form of habitat creation management would endeavour to introduce a degree of biodiversity within the restored land. Extended aftercare for woodland and other habitats would improve the prospect of a sustainable biodiversity afteruse. It is considered therefore that the proposed restoration is acceptable in principle.

x. The effects on local communities of cumulative environmental impacts.

Industrial activity, particularly in the form of coal mining, has been carried out within the locality for centuries. Numerous drift mines and collieries have been operated in the area with the last, Aberbaiden and Newlands ceasing production in 1959 and 1968 respectively. Bryndu Colliery on the south of the site also operated as an underground mine. Opencast coal mining on a relatively small scale commenced around 1948 with the Kenfig and Mill Pit operations with further smaller extensions proceeding in an easterly direction towards Law Street and, in the late 1960s, to The Fountain at Tondy. The improvement in technology and earth moving plant size saw a gradual increase in the scale of developments with larger excavation areas and ancillary land being sought for operations.

Park Slip opencast started operations in the late 1970s which saw a gradual return of opencast development to the immediate locality of Cefn Cribwr and the adjacent areas. At the same time the Mill Pit disposal point continued operations as a coal treatment stocking and rail loading facility. The Park Slip extension followed in the early 1980s which brought the opencast development up to Ffordd y Gyfraith. Park Slip West forms part of the current proposed site which was worked between 1995 and 2000. The current Margam mine constitutes the existing development up to Hafodheulog Wood and has been operating for approximately 5 years.

It is therefore recognised that the area has been subject to some continuous and long term mineral development, opencasting largely being located along the valley between Tondu and Kenfig Hill.

Local communities can face environmental impacts which cumulatively can have a severe impact on the quality of life for the residents. Impacts such as noise, and dust, individually, be found to be acceptable in overall terms, however, in combination and over a long period of time such impacts may provide unacceptable cumulative impacts. Whilst coal can only be worked where it is found, it is necessary to evaluate and consider if a continued presence of mining activity in a locality is acceptable based on the need for the mineral and other benefits. It is considered that the extension of opencast operations for a further 7 years plus, would have an adverse cumulative effect on residents, some significant effects on the environment and could have a detrimental cumulative effect on the residents of the area.

## **6. OTHER MATERIAL CONSIDERATIONS**

### Agricultural Land and Soil Resources

The vast majority of the land associated with the extension area is classed as Grade 4 (58.4 hectares), with a further 15.5 hectares classed as Subgrade 3b. The remainder is Grade 5 or non-agricultural. The West Glamorgan Structure Plan Review No.2 refers to Grade 3b agricultural land as strategically important within the West Glamorgan area. Good quality land once developed may not be replaced adequately to compensate for such loss. The Subgrade 3b land identified in the Extension area are also recognised as bordering on Subgrade 3a classification based on soil type, however, were classed as Subgrade 3b due to climatic limitations. It is recognised that the loss of such agricultural land is a negative impact, however, the Regional Planning Adviser for the Welsh Assembly Government has no objections to the proposals and it would be anticipated that appropriate soil conservation and restoration techniques could reasonably replicate such agricultural land in the course of restoration. Whilst the loss of good Grade 3b land is regrettable, it is considered in this case that such temporary loss does not carry significant weight.

The management and conservation of soil resources are also considered satisfactory by the Regional Planning Adviser and considered as part of the restoration strategy and after use proposals for the site.

## Land Stability

During any operations involving excavations and tipping there is always some risk of slope failure and some instability. Opencast developments are no different. The current and proposed opencast development is subject to regulatory controls and licensing which seek to secure the safe operation of the site and reduce any risk to land outside the operating area. It is recorded that some slope failure has occurred within the excavation void and such incidents have been addressed appropriately. No significant concern has been expressed by regulatory bodies such as HM Inspectorate of Mines on these events. No instability has been detected or recorded on the overburden mounds.

Network Rail have sought assurances and detailed analysis of the geotechnical appraisals to be carried out in the process of any further excavations and are satisfied that the appropriate assessments will be carried out prior to excavations to protect the integrity of the mineral railway line and consequently have no further objections subject to conditions.

Representations have been received indicating that potential slope failures within the excavation areas need to be assessed in an appropriate manner prior to any further excavations. The applicant has provided an explanation on the mechanisms and regulatory requirements that has to be undertaken in advance of the opencast workings. The primary responsibility for the safety and stability of a surface mineral working is that of the operator as defined in the Quarries Regulations 1999 as 'the person in overall control of the working of the quarry'. The monitoring of such activity would be the responsibility of HM Inspectorate of Mines.

Representations have also expressed concern with regard to potential instability of the diversion of the Afon Cynffig. There is no evidence to suggest that the appropriate appraisals engineering operations will not be undertaken, however, all such operations and constructions would be the subject of regulation by HM Inspectorate of Mines. The HM Inspectorate of Mines have not made any critical comment on the proposals.

It is considered that no objection could be raised on land stability issues on the evidence available.

### Utilities including gas pipeline, water mains and power lines

Wales and West Utilities have considered the potential impacts on the gas pipeline that runs east to west within the northern operational boundary of the site. Excavations, blasting and some surface activity would need to be operated within certain parameters to protect the integrity of the high pressure gas transmission pipeline. Wales and West Utilities are now satisfied that further details on the rerouting of the river, slope stability, stand off distances and monitoring will be sufficient to maintain the integrity of the pipeline.

A water main runs from north to south between the closed section of Crown Road at Kenfig Hill and Heol y Glo near Hafodheulog Farm in Penybryn. The water main would have to be diverted to accommodate the development. It is stated in the application that a diversion would be carried out prior to development.

A 132 kv power line and a 33 kv power line will need to be diverted around the periphery of the excavation area in order for development to proceed. The diversion of the 132 kv pylon line will bring such structures closer to Kenfig Hill, however, no definitive alternative route has been established.

### Lighting

Lighting will be required during periods of darkness to conform with health and safety requirements. Poorly designed lighting can have an adverse affect on the local environment and the amenity of the area. Therefore sensitive and well designed lighting provisions would need to take account of safety but also to protect the natural environment and prevent glare and respect for the amenity of the area. There have been some complaints on the existing site of light disturbance and given the nature of the topography of the surrounding residential areas, it is considered that some impacts would be experienced during the operation of the site. However it is considered that conditions can be imposed to reduce glare to an acceptable level.

### Restoration and Aftercare Bond and Financial Guarantees

The Authority has previously sought Counsel's advice as to whether Celtic Energy are subject to the West Glamorgan Act in that a planning condition can be imposed requiring a restoration bond. The advice was that under the terms of the Coal Privatisation Act, Celtic 'inherited'

British Coals exemption and therefore it would not be acceptable to impose such a condition.

Celtic have proposed to set up an Escrow Account of £3 per tonne of coal mined. This would eventually raise some £7.2 million which would be added to the £4.73m that will accrue on the existing operations. It should be noted that a rule of thumb estimate to restore the site, should consent be granted is upwards of £40m and therefore the proposed restoration fund would fall well short of that required to ensure restoration. It should be noted that the restoration fund for the existing operations would also fall well short. Whilst the Authority cannot speculate on whether sufficient funds would be available to fully restore the site once coaling has ceased, it should be noted that the proposed restoration fund would not guarantee full restoration, as is the case with other consented opencast sites operate by other companies within the Borough Council.

#### COMMENTS ON REPRESENTATIONS RECEIVED

With regard to the objections of Dr Hywel Francis MP and the Neath Port Talbot Tourism Forum, the items raised have been considered within the main part of the report. The Health Impact Assessment, submitted as representations, has also been considered under issues in relation to health.

It is considered that the objections listed 1-8, 10, 13-19, 21-26, 29-35, 39-64, 66, 67-71, 75-93, 95-100, 102, to the proposal have been considered within the various sections of the assessment or in the general conclusions of this report.

9+63. The effect of development and property values is not as such a material consideration.

11. The burning of any fossil fuel will clearly contribute a certain amount to any climate change, however, the overall impacts of this single development cannot be resisted on this basis.

12. The proposed deep mine approved in 1999 would have had its own environmental impacts, however, the current proposal does not include such plans and is not a material consideration in this application.

20/28 It is acknowledged that there was an anticipated end to opencast development with the prospect of a deep mine being developed

at the end of the current operations, however, geotechnical and economic considerations have influenced the proposal for a deep mine.

- 27/38 The time period for the receipt of representations is set out in the relevant planning guidance and regulations and publicity was carried out in accordance to regulations and the Local Authority's policy for neighbour notification.
- 36, 60  
+74 It is considered that adequate information has been supplied to make a decision.
37. There has been no indication that the final void would be utilised as a waste management or landfill site. Such proposals would need to be the subject of a separate planning process.
67. A public inquiry would normally be held for developments of this nature should an appeal against a refusal be made or if the matter was called in by the Welsh Assembly Government.
- 72/101 Developers are required to comply with the terms of any planning consent.
73. This would be temporary and considered acceptable.
94. The defined limits of Policy E4 of the Bryn Goetre in the Margam Local Plan was modified and its eastern boundary limited to that area west of Heol y Glo and consequently the policy does not apply to this proposal. Policy I3 relates to the land in relation to the Margam Mine. It is acknowledged that a part of this site conflicts with the conveyor system that was proposed for the development.
103. Restoration proposals has been assessed on this particular site and one included above.

The issues raised in support of the proposal have been addressed in the assessment of this proposal.

## **CONCLUSIONS**

All environmental information submitted within the ES and additional information under Regulation 19, along with the comments of statutory

consultees on the information supplied, and the comments, observations and representations provided by members of the public, have been taken into consideration in this recommendation. In addition all relevant European directives, legislation and regulations have been taken into account.

Planning applications have to be determined in accordance with the requirements of Section 54A of the Town and Country Planning Act which states that planning applications for development are to be determined in accordance with the development plan unless material considerations indicate otherwise.

In respect of the Development Plan, the adopted Plan relates to the West Glamorgan Structure Plan (Review No. 2) (1996) and the Cwmafan Bryn Goytre Valley and Rural Margam Local Plan (1989). The Deposit Port Talbot Local Plan did not go to Public Inquiry and was therefore never formally adopted. West Glamorgan Minerals Plan was published 1975 and went to Public Inquiry, but has never been formally adopted. However, the Authority resolved that both plans be adopted for development control purposes and considerable weight can be given to the Minerals Plan and some weight to the Port Talbot Local Plan.

A public Inquiry has been held in respect of the Draft Unitary Development Plan and the Inspectors Report is due in the near future, where there have been no objections, considerable weight can be given to draft policies.

It is considered that the development proposes a further intrusion into the countryside and there is always a need to protect and conserve such areas and forms the cornerstone of countryside policy. Policy C1 of the West Glamorgan Structure Plan clearly states that the environment and natural beauty of the countryside will be protected for its own sake and overriding reasons would need to be provided to allow development in such areas. Policy C5 recognises that some development in the countryside is acceptable which includes mineral extraction. However, the level of impact on countryside resources and its character must be measured against this presumption.

Notwithstanding the mitigation proposals put forward for progressive restoration during the development, and the proposed restoration and aftercare strategy for the site, it is considered that the overall impacts in visual terms from the operations will constitute a considerable loss of rural character for a considerable period of time which would affect the



visual amenity and reasonable expectations of local residents and provide a dominant and overbearing impact on local amenities.

The character and quality of the landscape is also influenced by the significant feature of the ancient semi natural woodland of Hafodheulog Wood, the associated Afon Cynffig Valley, and other major woodland belts within the application site. It is acknowledged that some previous mining operations has been carried out on parts of the extension site, however, the most significant and important elements of the area have been protected from development and constitute a most important and rare quality in local, regional and national terms. The protection of ancient woodlands is underpinned by policies within Planning Policy Wales and Local Development Plan policies. Such woodlands are considered to be rare and irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage. It is considered that Hafodheulog Wood, on the evidence of ecological surveys, constitutes a significant example of such ecological resources and any loss of such woodland would require an overwhelming reason. The application has attempted to mitigate the loss of the woodland by proposing restoration strategies, planting arrangements and habitat creation. It is considered that some of the mitigation proposals would be extremely challenging and could not reasonably replicate the biodiversity and ecology associated with the woodland. Thereby, the development would be contrary to policy EQ5 and EQ6 of the West Glamorgan Structure Plan which aims to protect woodlands which are important to the visual scene and nature conservation.

Similarly the Afon Cynffig constitutes a watercourse of high quality with its own wildlife and fauna linked in with the ecology of the woodland. The proposed diversion and associated design is considered to be limited by engineering and hydrological constraints. Whilst typical design features have been proposed, there is some doubt if there would be sufficient capacity within the restoration strategy to provide a suitable replacement to the current water environment of the Afon Cynffig in ecological terms. Consequently it is considered there would be a net loss of the flora and fauna currently found within this particular stretch of the watercourse.

A number of protected species will be impacted upon by the development. There is a reasonable prospect that the badger population will be either displaced or materially affected given the limited provisions that appear to be available for longer term mitigation. Bats will also be

disturbed. The Afon Cynffig has also been identified as an area where the regeneration of otter population appears to be flourishing. The diversion of the Afon Cynffig and the elimination, even on a temporary basis, of a suitable river could prove to be damaging to the resurgence of otter population within the locality. These combined impacts on protected species and ecology has a measurable effect on nature conservation of the locality.

In respect of the proximity of the proposed opencast working to settlements, Policy M8 of the Draft Unitary Development Plan recommends 200m to the extraction / overburden / minerals storage areas, while the Draft Coal TAN recommends 350m in this case to site boundary. However, impacts on the amenity of residents by virtue of noise and dust have been considered above. Whilst, on an individual basis, such impacts appear to be within acceptable recognised limits it is important to consider that continuation of mining operations and the subsequent environmental disturbance and disruption over a long period of time along with other environmental impacts such as the effects on visual amenity, could constitute unacceptable cumulative environmental impacts as defined under policy M3 of the West Glamorgan Structure Plan and policy DC25 of the Deposit Draft Minerals Local Plan. The severance of public highways, footpaths and bridleways also contribute to the overall impacts of the development.

In considering other material considerations mineral extraction can only take place where it is found and therefore any coal reserves that can potentially satisfy the energy requirements of the country must be given due regard and consideration in the planning process. There would be economic benefits locally and on a regional and national basis if the proposed extraction of 2.4 million tonnes of coal was undertaken. These include the provision of approximately 63 well paid jobs on what is considered to be continued employment from the existing site and the input of high volatile coal into the coal blending processes of the operating company, Celtic Energy Ltd, thereby contributing to the available coal supply and energy demands of local power generators. The benefits would accrue in the form of wages that would contribute to the local economy, additional service requirements and provision of local and regional coal supplies for the benefit of the national economy as a whole. It is emphasised within the application that this high volatile coal reserve is the only available coal of its type at this present time to the operating company and without such reserves there would be a knock on effect on its capacity to satisfy the blending requirements of its largest customer, the Aberthaw Power Station, and also would affect the overall viability of

the company. It must be recognised that Celtic Energy Ltd provide a substantial contribution to the local energy demands of the region and without any coal production from its range of opencast developments, it is not unreasonable to consider that there would be a measurable effect on the local economy. In respect of the effect on Aberthaw, it is considered that adequate supplies are available from other markets should supplies from Celtic reduce.

Whilst these factors form a reasonably strong and logical argument for the continued production of high volatile coal from the site, there are no other identified benefits that would accrue from the development. These economic benefits must now be weighed up against the overall impacts of the development.

National policy emphasises the need to consider the merits of a mineral planning proposal within key objectives of sustainable development. This framework provides guidance on the consideration of individual proposals which acknowledges the need to provide minerals for society, and to encourage economic growth and employment. However, where a proposal for mineral extraction would cause demonstrable harm to the environment or amenity, and which cannot be overcome by planning conditions or agreements, planning permission should not be granted. It is considered in this case that the proposals cannot be modified, mitigated or ameliorated to an acceptable standard to the extent that it can be made environmentally acceptable, and the overall benefits do not outweigh the disbenefits or the likely impacts of the development.

It is therefore recommended that the application be refused.

Members should note, however, that a request had been made by Bridgend County Borough Council for a joint meeting prior to determining the application. At the Planning Committee on 12<sup>th</sup> January 2006, it was resolved that the request to meet with Members of Bridgend County Borough Council would be considered once Members have received a full Officer Report on the proposal.

Members therefore need to reconsider this request prior to determination.

**RECOMMENDATION:      Refusal**

## **REASONS:**

(1)The development would create an intrusion into the landscape which would result in significant harm to the visual amenity and rural character of the area and to visual amenity and would also cause an unacceptable level of impact on the outlook of local residents and therefore is contrary to Policy DC3 of the Draft Minerals Local Plan for West Glamorgan, C1 of the West Glamorgan Structure Plan Review No. 2, E9 of the Draft Port Talbot Local Plan.

(2)The development would result in unacceptable damage to and loss of flora and fauna, habitats and biodiversity and is therefore contrary to Policy EQ5 and EQ6 of the West Glamorgan Structure Plan Review No. 2, DC6 of the West Glamorgan Minerals Local Plan, E9 o the Port Talbot Local Plan, Policy E6 of the Cwmafan, Bryn and Goytre Valley and Rural Margam Local Plan.

(3)The proposals would perpetuate opencast activities within the locality and on the existing site for a further minimum period of 7 years, which, added to the previous workings of the Parc Slip, Parc Slip West and Margam Mine (Opencast) developments will result in an unreasonable level of disruption in terms of visual impact, noise, dust, thereby causing unacceptable detrimental cumulative impact on local residents and the surrounding area and is contrary to Policy M3 of the West Glamorgan Structure Plan Review (No. 2) and Policy DC25 of the Deposit Draft Minerals Local Plan for West Glamorgan.

<b>ITEM 4.2</b>	
<b>APPLICATION NO: P/2005/645</b>	<b>DATE: 15/04/2005</b>
<b>PROPOSAL: PROPOSED CONVERSION OF BARN AND OUTBUILDINGS INCLUDING AN EXTENSION INTO A DETACHED BUNGALOW (Revised Plans Received)</b>	
<b>LOCATION: RHYD-Y-BONT BREN FARM, PYLE, BRIDGEND CF336RB</b>	
<b>APPLICANT: MRS D LYDDON</b>	
<b>TYPE: Full Plans</b>	
<b>WARD: Margam</b>	

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan**

Port Talbot Local Plan:

- E11 Development in the Countryside.
- E17 Conversion and / or Re-use of Rural Buildings.
- T11 Parking.

Neath Port Talbot Deposit Draft Unitary Development Plan:

- GC1 General Consideration.
- ENV1 Development in the Countryside
- ENV8 New Buildings, Conversions and Operations in the Countryside including Farm Diversification.
- ENV11 Proposal in Areas of Flood Risk.
- T1 Location, Layout and accessibility of new proposals
- T10 Parking.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

- 03/0145 – 2 Stables to accommodate horses – Approved 25.03.03
- 00/0250 – 6 agricultural buildings for livestock, storage, machinery and rabbit breeding and access tract – Approved 27.04.00

97/0116 – Certificate of Lawfulness to use existing bungalow as a single and separate dwelling house – Issued 08.05.97  
94//9513 – Certificate of Lawfulness house as a single and separate dwelling house – Not issued 02.06.94.  
93/9345 – Certificate of Lawfulness to use bungalow as separate dwelling house – Not issued 07.01.94.  
92/8903 – Change of use of existing extension to separate dwelling and extension to roof space – Refused 12.05.93.

#### **d. Responses to Consultations**

Number of properties consulted: 0

Site notice was displayed at the site.

Number of replies received: 0

Statutory Consultees:

Head of Engineering and Transport (Highways): No objection.

Head of Engineering and Transport (Drainage): No objection subject to conditions.

Countryside Council for Wales: No objection subject to conditions regarding surveying for bats and barn owls.

Environment Agency: Site is located within Zone B of the Development Advice Maps. They require the submission of site levels and cross sections of the site.

Dwr Cymru Welsh Water: No objection subject to conditions.

#### **APPRAISAL**

Full planning permission is sought for the conversion of an existing barn and outbuilding into a dwelling and erection of a two storey extension. The proposed development would result in the existing two storey barn being converted into a single storey living room area, with the small existing outbuilding on the western side forming a study and storage area. The proposal also includes the erection of a large two storey extension on the eastern side of the building. The proposed extension would have a

width of 6.45m and a depth of 9.8m. The extension will incorporate a ridged roof that would follow the original barn ridge, but would then have a southern projecting gable.

The main issues to be considered in the determination of the application are the impact upon the residential amenity of the neighbouring properties, the impact upon the character and appearance of the surrounding area and the impact upon the highway safety of the existing road network.

The site is located within a rural countryside area, policy ENV8 of the UDP outlines a set of criteria that conversions of existing buildings must meet. The policy states that the conversion and rehabilitation of buildings and dwelling will only be permitted where, the existing building is permanent, structurally sound and capable of conversion and suited to the purpose proposed without major reconstruction. The main existing barn structure is in a very poor state of repair. The roof is still in place, but severely bowed and with sections of slate missing. Some sections of the walls are also missing and with other areas showing signs of visible external cracks and crumbling. The two existing outbuildings located to the east and western sides of the building have no roofs. The applicants submitted a structure survey of the building in support of their application. The Principle Building Regulation Officer has stated that the development is achievable provided openings are formed carefully. There is a possibility that the stonework will 'run' if this work is not carefully undertaken resulting in significant loss of existing walls.

The proposed development shows the demolition of the outbuilding to the eastern side of the building and the conversion of the western outbuilding to a study and store. However due to the size of the main barn (6.45m wide and 4m deep), the proposal shows this area as forming only a lounge. The remaining proposed accommodation of kitchen, garage hall, bathroom and bedroom on the ground floor and an additional WC and Bedroom on the first floor, will be accommodated within the proposed extension. The proposed extension would have a width of 6.45m and a depth of 9.8m.

The supporting text to policy ENV8 states that the size and bulk of the proposed building is likely to have a major influence on its visual impact, and proposals should not normally exceed the footprint or cubic content of the original building by more than 20%.

The proposed extension would represent a 187% increase in the floor area of the original barn and a 145% increase in floor area over the original barn and outbuildings. This is considerably greater than the suggested increase of 20% as outlined in Policy ENV8 of the Neath Port Talbot Deposit Draft Unitary Development Plan. Planning Policy Wales reinforces this objective and states that new house building and other new development in the open countryside, away from established settlements, such permissions could be granted too often, to the overall detriment of the character of an area. The proposed extension would be a disproportionate and incongruous addition to the original barn, even when taking into consideration the derelict outbuildings. The extension would not be in scale or keeping with the existing building and would form an obtrusive and incongruous addition to the barn to the detrimental of the character and appearance of the surrounding area.

Policy ENV8 continues on to state that: i) where a conversion to a residential use is proposed i) the applicant has made every reasonable attempt to secure suitable business re-use; or ii) the residential conversion is a subordinate part of a scheme for business re-use; or iii) the resulting housing will contribute to an identified need for affordable housing for local need. No such supporting information has been submitted.

Similarly, the Environment Agency has identified that the application site is located within Zone B of the Development Advice Maps of TAN15. As such the applicant was requested to submit details of site levels and cross sections of the site. No information has been received.

The closest adjacent dwelling is the original Rhyd-y-bontbren farmhouse, which is located to the north of the application site, on the opposite side of the driveway. The existing farm house is a minimum of 11.5m from the closest point of the existing barn. However there are no proposed windows in the northern side elevation of the existing barn or proposed extension. As such it is considered that the proposed development would not overlook, overshadow or be overbearing and would have no detrimental impact upon the residential amenity of the residents of the neighbouring dwelling.

The Head of Engineering and Transport (Highway) has raised no objection to the proposed development and is satisfied that there would be no detrimental impact upon the highway safety of the existing road network.



In conclusion, the proposed development would have no detrimental impact upon the residential amenity of the residents of the neighbouring property, but would form a disproportionate and incongruous addition to the original barn and outbuildings, forming an obtrusive feature to the detriment of the design and proportions of the original barn and the open character and appearance of the surrounding countryside. The applicant has also failed to submit the necessary supportive information regarding the proposed use of the site and site levels details. As such the proposed development is contrary to the policies of the Council's development plans and is recommended for refusal.

**RECOMMENDATION:        Refusal**

**REASONS:**

(1) The proposed development by reason of its size and location would form a disproportionate and incongruous addition to the original barn and outbuildings, forming an obtrusive feature to the detriment of the original design and proportions of the barn and the rural character and appearance of the surrounding countryside. As such the proposed development is contrary to policies E11 and E17 of the Port Talbot Local Plan and policies ENV8 and GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

(2) The applicants have failed to demonstrate that they have made every reasonable attempt to secure suitable business re-use, or that the residential conversion is a subordinate part of a scheme for business reuse or that the resulting housing will contribute to an identified need for affordable housing for local need.

(3) The applicant has failed to provide the required site level information to assess the development's impact upon the surrounding predicted flood zone. As such the proposed development could potentially harm the health and wellbeing of future occupiers contrary to policies ENV8 and ENV11 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

<b>ITEM 4.3</b>	
<b>APPLICATION NO:</b> P/2006/37	<b>DATE:</b> 12/01/2006
<b>PROPOSAL:</b>	<b>OUTLINE APPLICATION FOR AN AGRICULTURAL DWELLING</b>
<b>LOCATION:</b>	<b>LAND AT, WERN ANDREW FARM, SKEWEN, NEATH</b>
<b>APPLICANT:</b>	<b>MR PETER GOUGH</b>
<b>TYPE:</b>	<b>Outline</b>
<b>WARD:</b>	<b>Coedffranc West</b>

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan:

Policy E55 - Development in the open countryside.

Policy E58 - Development of a new dwelling on a farm.

Policy T26 - Highway safety.

Neath Port Talbot Deposit Draft Unitary Development Plan

Policy ENV1 - Development in the countryside.

Policy ENV7 - New dwellings for agricultural and forestry purposes.

Policy ENV8 - New buildings, conversions and operations in the countryside including farm diversification.

#### **b. Other Policies**

TAN 6 (Agricultural and Rural Development)

#### **c. Relevant Planning History**

None

#### **d. Responses to Consultations**

Number of properties consulted: 0

A site notice has been posted.

Number of replies received: 0

Statutory Consultees:

Coedffranc Community Council: No objections.

Head of Engineering and Transportation (Highways) – No objections

Environment Agency - No constraints

Head of Engineering and Transport (Drainage) – No objections

Welsh Water: No objections.

Glamorgan Gwent Archaeological Trust: No objections.

Carmarthenshire County Council (Agricultural Consultants to this Authority) – Do not support the application.

## **APPRAISAL**

Outline planning permission is sought for the construction of one detached dwelling with all matters reserved for subsequent approval on land at Wern Andrew Farm, Skewen, Neath. The application is accompanied by supporting statements from the applicant and the current land owners detailing why an additional dwelling is required on the holding. The current owners are elderly and are increasingly unable to be involved in the day to day management of the holding. The only stock includes two dozen chickens. The applicant has taken over some of the maintenance of the land and intends to enter into a tenancy agreement for a further 8ha of land to the south and indicates the number of chickens will be increased to 124 and 18 cattle introduced. Additional reasons put forward for a dwelling include the need to provide constant surveillance of the land and buildings following recent bouts of vandalism.

The application site comprises of a rectangular parcel of land 45m by 30m, approximately 50m to the east of Wern Andrew farmhouse and complex of agricultural outbuildings. The farm unit extends to 5.6ha and is bounded by the M4 motorway and the A465(T) to the south, west and north with a dismantled railway to the east. Vehicular access to the holding is via a narrow lane to Cardonnel Road.

The main issues for consideration are whether an additional dwelling will be harmful to the character and appearance of this open countryside location and whether sufficient reasons have been put forward to justify a

second dwelling on the holding, having regard to prevailing policies within the development plan.

In the context of planning policy, both the Local Plan and the emerging Neath Port Talbot Deposit Draft Unitary Development Plan indicate that proposals which involve development in the open countryside will not be permitted unless they constitute specific exceptions. Policy E55 and E58 state that proposals for new residential development will not be permitted except where it is clearly needed to house a worker employed in agriculture or forestry who must live on the farm rather than in a nearby settlement. This advice is also contained in Policies ENV1, 7 and 8 of the Unitary Development Plan (Draft Deposit)

National Planning Policy requires that a functional test to establish whether, for the proper functioning of the enterprise, one or more workers need to be readily available at most times, and a financial test to establish that the farming enterprise is financially viable. Paragraphs 40, 41 and 45 of Technical Advice Note 6 (Agricultural and Rural Development) indicate that new permanent dwellings should only be allowed to support existing agricultural activities on well established units where it is essential for the worker to live on the farm and is engaged full time in agriculture on the holding. Paragraph 44 states that the protection of livestock from theft or injury by intruders may contribute on animal welfare grounds to the need for an agricultural dwelling, although it will not by itself be sufficient to justify one.

The agricultural questionnaire and supporting documents have been evaluated and the applicant has been interviewed by the Councils' Agricultural Consultants. The Consultants conclude that as the applicant does not own or manage any livestock or has no long term security in terms of tenancy agreements there is no justification for an additional second dwelling on the holding.

It is therefore concluded there is no agricultural justification for a second dwelling on the holding. On this basis the application is recommended for refusal as no compelling evidence has been submitted to demonstrate a new dwelling is essentially required to enable the Local Planning Authority to set aside the restrictive countryside policies contained in the adopted Local Plan and emerging policies in the Neath Port Talbot Unitary Development Plan (Draft Deposit). The proposal represents an inappropriate form of development in this open countryside location which would have a harmful affect on the visual quality, appearance and character of the area. Refusal is therefore recommended.

**RECOMMENDATION:      Refusal**

**REASONS:**

(1) The applicant has not submitted sufficient or compelling evidence to demonstrate the holding is financially and functionally viable, in accordance with the advice contained in Planning Policy Wales, Technical Advice Note 6 (Agriculture and Rural Development) 2000, to justify a second dwelling on this holding. The proposed dwelling is not considered to be essentially required for the purposes of agriculture on the holding and therefore represents an intrusive feature harmful to the character and appearance of the surrounding area. The proposed development is contrary to the provisions of Policy E55 and E58 of the Borough of Neath Local Plan and Policy ENV1, ENV7 and ENV8 of the Neath Port Talbot Unitary Development Plan (Draft Deposit).

<b>ITEM 4.4</b>	
<b>APPLICATION NO: P/2006/844</b>	<b>DATE: 12/06/2006</b>
<b>PROPOSAL:</b>	<b>TWO STOREY REAR EXTENSION AND DETACHED GARAGE</b>
<b>LOCATION:</b>	<b>279 OLD ROAD, BRITON FERRY, NEATH SA112EY</b>
<b>APPLICANT:</b>	<b>MR W BRETTL</b>
<b>TYPE:</b>	<b>Householder</b>
<b>WARD:</b>	<b>Briton Ferry Ea</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Neath Local Plan

H8 – Household extension criteria

E67 – New development shall pay particular attention to their scale, height, mass, materials to the character of adjacent buildings and spaces, and to the impact upon the skyline.

Neath Port Talbot Deposit Draft Unitary Development Plan

GC1- General considerations.

### **b. Other Policies**

A guide to household extensions.

### **c. Relevant Planning History**

None.

### **d. Responses to Consultations**

Number of properties consulted: 6

Number of replies received: 0

Statutory Consultees:

Head of Engineering and Transport (highways) – No objections

## **APPRAISAL**

This application seeks planning permission for the erection of a two storey rear extension and detached garage to a semi detached property at 279 Old Road, Britton Ferry.

The application property is a 2 bedroomed semi detached dwelling. It has a hipped roofed of concrete tiles and is finished in brickwork and rough cast render. It is located within a street of various house types and designs. There is currently a single storey rear wing to the property, which it is proposed to demolish as part of this application. There is an existing vehicular access to the rear of the property off Darren Road and a driveway to the side of the property accessed off Old Road to the front of the property.

The proposed rear extension will provide a new kitchen at ground floor and bathroom at first floor. The proposed extension will have a width of 5 metres and a depth of 4.6 metres. Although the extension is located to the rear of the dwelling it extends approximately half the width of rear elevation of the property and projects 2 metres beyond the side elevation of the dwelling, some 0.9 metres from the common boundary with no. 277 Old Road. The proposed extension will incorporate a hipped roof with a maximum height of 6.95 metres some 1.3 metres below the ridge of the main roof of the dwelling. All external materials are to match the existing dwelling.

The application is also for a detached garage accessed off Darren Road at the rear of the property. The pitched roofed garage will be sited along side the rear boundary fronting Darren Road. It will have the maximum dimensions of 7.5 metres long by 4.5 metres wide.

The main issues to be considered in the determination of the application are the impact upon the residential amenity of the neighbouring properties, the impact upon the character and appearance of the surrounding area and the impact upon the highway safety.

The proposed extension complies with the councils adopted guidelines in relation to the 45 degree code. However the design of the roof of the extension is such that when the proposed extension would be viewed from the highway the ridge line of the extension stops short of the plane of the existing roof and does not tie into the main roof of the dwelling. The roof of the proposed extension does not therefore form an integral element of the existing dwelling and will therefore result in an incongruous feature in the street scene.

Turning to highway safety, The Head of Transport and Engineering (Highway) has confirmed that the development will not adversely affect highway safety and as such raises no objection to the proposal.

Policy GC1 of the Neath Port Talbot Draft Unitary Development Plan, the emerging Development Plan for the County Borough and policies E67 and H8 of the Neath Local Plan require any new development should consider issues of scale, design and amenity.

The agent has provided a letter in support of the application in which alterations to the extension are proposed but then dismissed by the client. The agent highlight another extension in Port Talbot granted consent in 2004 which it is claimed is similar to the design of the extension now proposed. However, when viewed from the public highway that extension's ridge line continues into the plane of the existing roof unlike the extension now proposed which stops short of the plane of the roof and does not tie in with the main roof of the dwelling.

The applicant has been requested to amend the proposed development to an acceptable design, but to date no alterations have been provided. It is therefore considered that the proposed extension by virtue of its design and siting does not form an integral part of the existing dwelling and the roof design therefore presents a visually incongruous feature when viewed from the public highway to the detriment of the visual amenity of the dwellinghouse and the character and appearance of the street scene.

It is therefore recommended that the application be refused.

**RECOMMENDATION: Refusal**

**REASONS:**

(1)The proposed extension by virtue of its design and siting does not form an integral part of the existing dwelling as the roof design does not tie into the parent building thus, presenting a visually incongruous feature when viewed from the public highway to the detriment of the visual amenity of the dwelling house and the character and appearance of the street scene. The proposal is therefore contrary to policy H8 and E67 of the Borough of Neath Local Plan, Policy GC1 of the Neath Port Talbot Draft Unitary Development Plan and the policy document 'A Guide to Household Extensions'.



<b>ITEM 4.5</b>	
<b>APPLICATION NO: P/2006/879</b>	<b>DATE: 21/07/2006</b>
<b>PROPOSAL:</b>	<b>RESIDENTIAL DWELLING - OUTLINE - ILLUSTRATIVE PLAN RECEIVED 21/07/06</b>
<b>LOCATION:</b>	<b>LAND ADJACENT TO, 49 HILL ROAD, NEATH ABBEY, NEATH SA107NP</b>
<b>APPLICANT:</b>	<b>MRS. M. SMITH</b>
<b>TYPE:</b>	<b>Outline</b>
<b>WARD:</b>	<b>Dyffryn</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan**

Borough of Neath Local Plan  
E67 New Development  
H8 Proposals to create and extend dwellings  
T26 Highways

Neath Port Talbot Deposit Draft Unitary Development Plan  
GC1 New buildings and structures  
H3 Infill and windfall development  
T1 Location, layout and accessibility of new proposals

### **b. Other Policies**

Planning Policy Wales (2002) Paragraph 9.2.12 states that:  
“ Sensitive design and good landscaping are particularly important if new buildings are to be fitted successfully into small vacant sites in established residential areas.”

Further advice contained in paragraphs 9.3.3 and 9.3.4 warn that insensitive, infilling or the cumulative effects of development should not be allowed to damage an area’s character and amenity. In determining applications local planning authorities should ensure that the proposed development does not damage an areas character and amenity.

### **c. Relevant Planning History**

None

### **d. Responses to Consultations**

Number of properties consulted: 9

The proposal has also been advertised by means of a site notice

Number of replies received: 5 letters raising objections on the following grounds;

1. Hill Road narrows to a single track has no pavements or parking spaces and a blind bend where it is proposed to build the house;
2. Although the road is for access only it is abused by traffic taking short cuts from Highlands to Drymmau;
3. The embankment has been eroded away from vehicles too big for the road trying to get through;
4. The site is not suitable for building as it is a few yards from a blind bend;
5. Risk of subsidence as the Applicant has a coal trap near the house;
6. Disturbance during construction;
7. Service and delivery vehicles have no alternative but to stop on the road blocking it completely;
8. Individual householders have cleared the greenery from their boundary walls in an attempt to maintain the width of the road;
9. The volume and speed of cars around these corners is very dangerous and there have been minor accidents in the past;

Dyffryn Clydach Community Council – expresses concern at the dangers arising from the likely increase in traffic along Hill Road and The Croft that may arise from the proposed development.

Environment Agency Wales – Raises no objection subject to standard notes

The Head of Public and Transport Services (Highways) – Raises an objection to the proposal on the ground that the application site is located on a blind bend on a narrow single lane road with no footways and will be detrimental to the safety and free flow of traffic and pedestrians on Hill Road. Delivery vehicles, visitors etc have no

safe off street parking provision and would thus have to park on the highway at or near to the property thus causing obstruction to the safety and free flow of traffic along Hill Road and forcing pedestrians out into traffic.

In addition, to the above further residential development along Hill Road should be restricted due to its narrowness, lack of footways and blind bends as the additional traffic generation will be detrimental to the safety and free flow of traffic and pedestrians along Hill Road.

The Head of Public and Transport Services (Drainage) – No adverse comments

Wales and West Utilities –No adverse comments

Hyder Consulting – No objections subject to the imposition of conditions. In addition it advised that the site is crossed by a public sewer and no part of any building will be permitted within 3 metres either side of the centreline of the public sewer.

Western Power Distribution – advises on the location of its apparatus

## **APPRAISAL**

The application seeks outline planning permission for residential development with all matters of siting, design, external appearance, means of access and landscaping reserved for subsequent approval, on land adjacent to 49 Hill Road, Neath Abbey, Neath.

The applicant has submitted an illustrative block plan outlining the footprint of the dwelling, access and car parking, together with a cross section of the proposal which indicates a dwelling of a split level design.

The application site consists of a rectangular shaped parcel of land which at present forms part of the rear garden of the dwelling known as No 49 Hill Road, Neath Abbey. A double garage stands on the site which will be demolished to facilitate the construction of a dwelling. The site has a depth of some 23.5 metres and a frontage of 11 metres to Hill Road.

Residential properties stand to the north, south, east and west. A detached garage stands adjacent to the western boundary. A retaining wall denotes the southern boundary and separates the application site from the existing residential properties which stand some 6 metres below

the application site. The existing drive serving the garage flanks the northern boundary.

The main issues to be considered in the determination of the application are the principle of residential development on the application site, impact upon the residential amenity of the adjacent dwellings, impact on visual amenity and the impact upon the highway safety of the existing road network.

In the context of the current development plan policy framework, the site lies within the settlement boundary limits as defined in the Neath Local Plan and the Neath Port Talbot Deposit Draft Unitary Development Plan. Within the Borough of Neath Local Plan, Policy H3 allows for infill or windfall residential development within the defined settlement limits, subject to criteria. These criteria include issues of residential amenity, character and appearance, highway and pedestrian safety.

Turning first to the character and pattern of development within the surrounding area, this is defined by a mix of detached dwelling houses set in medium sized gardens and immediately to the west of the site is a row of terraced properties which stand adjacent to the highway. The restricted size of the application site dictates that any form of residential development on this site would be visually cramped resulting in an unacceptable form of over development. This concern is borne out by the illustrative plan which shows a cramped form of development on the site.

Turning to residential amenity, by virtue of the restricted size of the site, any form of development would have to be sited in the close proximity to the flank elevation of the nearest property known as No. 97 Hill Road. There is a significant likelihood that any dwelling would raise issues of loss of amenity to these properties through overbearance and overshadowing upon the rear amenity space of this property. In addition, there may be issues of overlooking from the proposed dwelling however this would ultimately be addressed at the reserved matters stage.

In respect of highway and pedestrian safety the Head of Engineering and Transport (Highway Section) offers an objection to the development on the grounds that the application site is located on a blind bend and served by a highway of a substandard width and alignment. The proposal would lead to an increase in on street parking by delivery vehicles and visitors to the property which would cause an obstruction to the safety and free flow of traffic and therefore detrimental to pedestrian and highway safety.

The proposal would also set an unacceptable precedent for further development on Hill Road to the detriment of highway safety.

In respect of the objections received, Members will note that the concerns raised in respect of highway matters have been addressed, and the comments received from the Highway Section support these objections. Although it is acknowledged that disturbance to neighbours takes place during construction this would be temporary and is insufficient reason to justify refusal of the application.

In conclusion, it is considered that the proposal by virtue of the restricted size of the application site and its elevated siting in relation to neighbouring properties will result in a cramped form of development which will overbear and overshadow the neighbouring property No. 47 Hill Road to the detriment of the amenities of residents within that property. Furthermore, the proposal will have an unacceptable impact upon pedestrian and highway safety and could establish an unacceptable precedent for further development which would further impact on highway safety. The proposal is therefore contrary to Policies H8 and T26 of the Borough of Neath Local Plan and Policies H3 and T1 of the Neath Port Talbot Deposit Draft Unitary Development Plan. Refusal is therefore recommended.

**RECOMMENDATION:        Refusal**

**REASONS:**

(1) The proposed development, by virtue of the restricted size of the application site and its elevated siting in relation to neighbouring properties will result in the introduction of development which, would have an unacceptable overbearing impact on the adjacent properties to the detriment of neighbouring residents, contrary to Policy H3 of the Borough of Neath Local Plan and Policy H3 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

(2) The proposed access located on a blind bend and off a substandard highway with no pedestrian footways is considered to be unacceptable as a principle means of access to the proposed dwelling together with the lack of satisfactory off street parking provision will compromise both vehicular and pedestrian safety contrary to Policies H8 and T26 of the Borough of Neath Local Plan and Policies H3 and T1 of Neath Port Talbot Deposit Draft Unitary Development Plan.

(3) The approval of this application would establish an unacceptable precedent for the construction of further dwellings along Hill Road to the detriment of highway safety and pedestrian safety.

<b>ITEM 4. 6</b>	
<b>APPLICATION NO: P/2006/974</b>	<b>DATE: 06/07/2006</b>
<b>PROPOSAL:</b>	<b>REAR EXTENSION</b>
<b>LOCATION:</b>	<b>12 PONT STREET, PORT TALBOT SA131AN</b>
<b>APPLICANT:</b>	<b>M REES</b>
<b>TYPE:</b>	<b>Householder</b>
<b>WARD:</b>	<b>Port Talbot</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Neath Port Talbot Deposit Draft Unitary Development Plan  
GC1- General Considerations.

Port Talbot Local Plan

R20- Extensions.

### **b. Other Policies**

A guide to household extensions.

### **c. Relevant Planning History**

None.

### **d. Responses to Consultations**

Number of properties consulted: 5

Number of replies received: 0

Statutory Consultees:

Head of Engineering and Transport (Highways)- No Objection.

WA Highways- No Objection.

Head of Engineering and Transport (Drainage)- No Objection.

## **APPRAISAL**

This application seeks planning permission for the construction of a first floor rear extension to a mid-terraced property at 12 Pont Street, Port Talbot.

The property has an existing single storey rear extension projecting 5m off the main rear elevation of the dwelling. It is proposed to provide a first floor over this to a similar projection. It will incorporate a hipped ridged roof to a maximum height of 6.5m.

The main issues for consideration with regard to this application relates to the impact upon visual and residential amenities having regard to the prevailing planning policies and the design guide for household extensions.

The proposed development exceeds the guidelines, as set out within the Council's guide for householders, in respect of first floor extensions to the rear of terraced properties. An allowance of 3.6m at first floor is set out, to allow occupiers to extend their properties, but restricted to protect the amenity of the adjoining residents. In this case the proposed extension measures 5m in length which exceeds the guidelines by 1.4m.

It is considered that the proposed extension, by virtue of its excessive rearward projection, will impact detrimentally upon residents within No. 11, the shared boundary of which abuts the extension. The proposal will result in a loss of outlook to rear windows at this dwelling, and lead to a loss of light. This would result in an overbearing effect upon this property, to the detriment of their current amenity. This would be contrary to Policy R20 of the Port Talbot Local Plan, where extensions shall pay regard to the amenity of adjacent residents, and Policy GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan. It is not considered that the extension will have an unacceptable impact upon the amenities of residents within No. 13.

Turning to visual amenity, the rear extension incorporates a design and finish to match the existing dwelling and as such it will not adversely affect the visual amenity of the dwellinghouse, nor will it impact upon the character and appearance of the surrounding area.



In conclusion, it is considered that, whilst the extension will safeguard visual amenity, its excessive rearward projection and the siting on the boundary with No. 11 Pont Street would result in an unacceptable overbearing and overshadowing impact upon the property at No. 11, to the detriment of their residential amenities. Refusal is therefore recommended.

**RECOMMENDATION:      Refusal**

**REASONS:**

(1)The proposed extension by virtue of its excessive rearward projection at first floor level would result in unacceptable impact upon the amenities of residents within the adjoining property through overbearance, loss of outlook and light. This would be contrary to Policy GC1 of the Neath Port Talbot Draft Deposit Unitary Development Plan, and Policy R20 of the Port Talbot Local Plan and the design guide for household extensions.

<b>ITEM 4.7</b>	
<b>APPLICATION NO: P/2006/1096</b>	<b>DATE: 20/07/2006</b>
<b>PROPOSAL:</b>	<b>NEW DWELLING</b>
<b>LOCATION:</b>	<b>REAR OF, 161 NEW ROAD, SKEWEN, NEATH SA106HD</b>
<b>APPLICANT:</b>	<b>MR P MAYERS</b>
<b>TYPE:</b>	<b>Full Plans</b>
<b>WARD:</b>	<b>Coedffranc Cent</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan:  
 Policy E67 New development.  
 Policy H3- Infill development.  
 Policy H8 Proposals to create or extend dwellings.  
 Policy T26 Highways.  
 Policy E67- Design of new development.  
 Policy E78 Foul and surface water drainage.

Neath Port Talbot Deposit Draft Unitary Development Plan:  
 Policy GC1 General Considerations.  
 Policy H3- Infill and windfall development.  
 Policy T1 Highway considerations.

### **b. Other Policies**

A Guide to Household Extensions.

Standing Conference on Regional Policy in South Wales.  
 Parking Guidelines. Revised Edition 1993.

### **c. Relevant Planning History**

P/05/434- Bungalow Outline- Refused- 13/10/05  
 P/06/538- Dwelling- Refused- 06/06/06

### **d. Responses to Consultations**

Number of properties consulted: 8

The application was also advertised on site.

Number of replies received: 0

Statutory Consultees:

Coedffranc Community Council: No Objection.

Environment Agency: No Objection.

Welsh Water: No objections subject to conditions.

Head of Engineering and Transport (Highways): No Objection, subject to conditions.

Head of Engineering and Transport (Drainage)- No Objection, subject to conditions.

Western Power- Apparatus not affected.

Wales and West Utilities- Apparatus not affected.

## **APPRAISAL**

This is a full planning application for the erection of a two and a half storey detached dwelling on land at the rear of 161 New Road, Skewen.

The application site comprises land to the rear of the residential premises at No. 161 New Road. The plot is located with a narrow frontage onto Christopher Road of 8.7m, and a depth of 16m. To the west is the garden to No. 161 and to the east a commercial storage garage and frontage.

Members will note that previous applications for development at this site, with access off New Road, and off Christopher Road have previously been refused on highway grounds, the most recent of which was in June 2006.

The proposed dwelling occupies the majority of the site, measuring 7.15m by 7.15m, and it provides accommodation on three floors. A ridged roof rises to a height of 8.5m to provide accommodation within the roof space.

Windows are predominantly located to the front and rear, overlooking the Christopher Road frontage and to the rear a small yard area, and adjacent property beyond. To the side elevations within the gable, at second floor level a bedroom window looks towards the rear of the donor property, and a first floor landing window overlooks the side access lane bounding the site.

Two off street car parking spaces are to be provided to the front of the dwelling, with access located off Christopher Road, adjoining an existing lane access. To the rear a restricted yard area provides the only private amenity space, measuring 9.5m in width by between 3.5m and 2.5m in length.

In addition to the proposed development within the plot, the applicant has also indicated three off street car parking spaces for the donor property, No 161.

The main issues for consideration with regard to this application relates to the principle of a dwelling of this location having regard to prevailing planning policies, visual amenity, highway safety and the amenities of neighbouring residents.

Policies H8, E67 and T26 of the Borough of Neath Local Plan, support the principle of infill residential developments within the settlement limits subject to the satisfaction of a number of criteria. This is further supported by Policies H3, GC1 and T1 of its Neath Port Talbot Deposit Draft Unitary Development Plan.

With regards to visual amenity, the character of the area is one of detached and semi-detached two storey traditional dwellings, with amenity space to the rear. The proposed dwelling and its design generally follows the existing local vernacular, which does not significantly impact upon the street scene. The applicant has provided a street scene which clarifies the ridge height of the adjoining properties, and the separation distances. These provide further clarification in respect of the Christopher Road frontage, that the development would provide an appropriate infill development, without significantly impacting upon visual amenity.

In relation to Highway and Pedestrian safety, the Head of Engineering and Transport, Highway Section offers no objection to the proposal, subject to conditions. These include the need to remove the traffic regulation order fronting the site on Christopher Road.

Turning to the amenity of existing properties, the dwelling is set 17m off the back of footway opposite, to accommodate off-street parking spaces. This siting dictates that there are no issues of overlooking or loss of privacy to this frontage. To the side elevations the landing and bedroom windows should be installed with obscured glazing to prevent loss of privacy. At the rear ground floor windows will be screened by any boundary treatment, within the roof space the dormer serves a bathroom, and will also be fitted with obscured glazing, as will the bathroom window at first floor. A bedroom window at first floor is set 2m off the rear boundary of the plot. This overlooks a hard surfaced area where a proposed store/garage is to be located adjoining the rear boundary, and beyond this the side elevation of a dwelling, which has benefited from planning permission for a rear extension. There are no issues with overlooking distance between habitable room windows, nor overbearing impact resulting in a loss of amenity.

Notwithstanding the above and having regard to the scale of the dwelling proposed, in comparison with the amenity space it provides, the development results in a cramped rear amenity area, measuring 2.5m to 3.5m in depth, this would be bounded on one side by the dwelling, and three sides by boundary treatments. For a property providing this scale of accommodation this is considered to be inadequate, and would result in an unacceptable level of amenity for the occupiers of such a property.

Policy H8 of the Borough of Neath Local Plan, in reference to new dwellings, states that, there should not be an over intensive use of the site and its facilities. In addition Policy E67 requires new developments to pay particular regard to their scale and mass.

The Neath Port Talbot Deposit Draft Unitary Development Plan, further adds that developments should make efficient use of sites in terms of density of development including size and footprint of the buildings, the extent of gardens and curtilages, and the amount and extent of parking and circulation space.

As a result whilst the amenity of the streetscene will be protected this cramped form of development is out of keeping with the character and pattern of development within the surrounding area, and by virtue of the constrained size of the site will adversely affect the level of amenity future occupiers should reasonably expect to enjoy.

In conclusion it is considered that the proposed development provides an over intensive use of this site, providing a form and scale of development

on this restrictive site, which would result in cramped amenity space to the detriment of the character and pattern of development within the surrounding area in addition to the amenities of future occupants. This would be contrary to Policies H3 and GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan, and Policy H8 & E67 of the Borough of Neath Local Plan. Refusal is recommended.

**RECOMMENDATION:        Refusal**

**REASONS;**

(1)The proposed dwelling by virtue of its excessive scale and the restricted size of the application site will result in the introduction of a cramped form of overdevelopment which is out of keeping with the character and pattern of development within the surrounding area and which will adversely affect the residential amenities of the future occupiers of the dwelling contrary to Policies H8 and E67 of the Borough of Neath Local Plan and Policies H3 and GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

<b>ITEM 4.8</b>	
<b>APPLICATION NO:</b> P/2006/1108	<b>DATE:</b> 02/08/2006
<b>PROPOSAL:</b>	<b>TWO STOREY EXTENSION TO DWELLING AND EXTENSION TO GARAGE</b>
<b>LOCATION:</b>	<b>4 PRIMROSE LANE, PONTARDAWE, SWANSEA SA8 3ES</b>
<b>APPLICANT:</b>	<b>MRS J BROMFIELD ROBINSON</b>
<b>TYPE:</b>	<b>Householder</b>
<b>WARD:</b>	<b>Pontardawe</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Northern Lliw Valley Local Plan  
Policy EQ15 – Design

### **b. Other Policies**

A Guide to Household Extensions  
Technical Advice Note 12: Design

### **c. Relevant Planning History**

05/932 Extension to dwelling. Refused 21<sup>st</sup> July 2005.

### **d. Responses to Consultations**

Number of properties consulted: 17

Number of replies received: 0

Statutory Consultees:

Pontardawe Town Council – No comments received therefore no observations to make.

Head of Engineering and Transportation (Highways) – No objections

## **APPRAISAL**

Full planning permission is sought for the construction of a first floor and two storey extension to a detached dwelling at 4 Primrose Lane, Pontardawe. It is also proposed to extend a detached garage within the curtilage of the property.

The property is a traditionally designed, two storey, dwelling constructed primarily of stone and render under a slate roof situated in an elevated position with its rear elevation facing and immediately abutting Primrose Lane and a front elevation facing a narrow lane to the rear of properties fronting Swansea Road in the centre of Pontardawe. It is centrally located within a plot measuring 21m wide by 22m deep and there is a single storey, flat roof, ground floor extension on the northern gable wall and a detached, flat roof, double garage on the southern side of the property. The gross floor area, excluding the garage, amounts to 130 sqm.

Historically a full application was submitted in May 2005 for substantial extensions on either side of the property, one being three storeys and the other two storeys in height. This application was refused in July 2005 on the grounds of inappropriate scale and design and the adverse affect the development would have on the street scene.

The current proposal is more modest in scale and comprises of the following elements;

- 1) A small first floor extension on the Primrose Lane elevation accommodating an extended bathroom measuring 5m wide by 1.8m deep with a small gable roof above.
- 2) The demolition of the front part of the garage and a 1.5m extension to the rear and the provision of a shallow pitch roof above resulting in the garage having an overall height of 3.2m. Additional off street parking is provided at the front.
- 3) The demolition of the existing flat roof extension and its replacement with a two storey extension accommodating a kitchen/dining room at ground floor level and a bedroom above. It measures 8.6m deep by 5m wide with a maximum ridge height of 7m and projects 1.7m forward of the main front elevation of the dwelling. The roof of the rear elevation, facing Primrose Lane, contains a small gable to reflect the existing features and the



overall height of this side extension is 0.3m lower than the height of the main dwelling. Large window openings are proposed on the front gable elevation which will also have a smooth render finish and the side cheeks of the forward projecting element finished in natural stone.

The main issues for consideration are the appropriateness of its design, scale and external appearance and its impact on the street scene.

Adopted policy guidance requires all new development to be of a high standard of design which respects the character of the existing building and the locality in general. The Guide to Household Extensions emphasises the need to retain the essential character and symmetry of existing buildings to ensure extensions are of an appropriate scale and are subservient to the existing building in terms of scale and external appearance.

It is considered the revised submission represents a substantial improvement to that previously refused. However, the scale and contemporary design of the two storey element at the side is considered inappropriate and unsympathetic to the character of the existing property. There is insufficient architectural relief by way of any set back from the front wall of the main dwelling and the window pattern does not respect the traditional vertical emphasis of those in the existing property. The applicant has been advised of the need to amend the roof design of the two storey extension and amend the fenestration so that it reflects the design and style of the windows on the existing property. However, the applicant has requested that it be considered on its individual merits.

In conclusion it is considered that the introduction of this gable fronted contemporary style extension on this traditional property will result in the introduction of an incongruous form of development which is at odds with the design and proportions of the existing dwelling. The proposal is therefore contrary to Policy EC15 of the Northern Lliw Valley Local Plan and the general thrust of Planning Policy Wales and TAN 12 design. Refusal is therefore recommended.

**RECOMMENDATION:      Refusal**

## **REASONS;**

(1) The design, scale and external appearance of the two storey side extension will result in the introduction of an incongruous form of development which will detract from the overall scale, design and proportions of the existing dwelling to the detriment of its character and appearance. The proposed development is therefore contrary to the provisions of Policy EQ15 of the Northern Lliw Valley Local Plan, Supplementary Planning Guidance 'A Guide to Household Extensions' and Planning Policy Wales Technical Advice Note 12: Design.

<b>ITEM 4.9</b>	
<b>APPLICATION NO: P/2006/1185</b>	<b>DATE: 21/08/2006</b>
<b>PROPOSAL:</b>	<b>RESIDENTIAL DEVELOPMENT</b>
<b>(OUTLINE)</b>	
<b>LOCATION:</b>	<b>LAND ADJACENT TO, 22 LLETTY</b>
	<b>DAFYDD, CLYNE, NEATH SA114BG</b>
<b>APPLICANT:</b>	<b>MRS P THOMAS</b>
<b>TYPE:</b>	<b>Outline</b>
<b>WARD:</b>	<b>Resolven</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Neath Local Plan  
H3 – Infill residential development

Neath Port Talbot Deposit Draft Unitary Development Plan  
H3 – Infill and windfall development  
T1 – Location, layout and accessibility of new proposals

### **b. Other Policies**

None

### **c. Relevant Planning History**

None

### **d. Responses to Consultations**

Number of properties consulted: 9

Number of replies received: 1

The objections relate to the following matters;

1. Principle of development.
2. Lack of information.
3. Overdevelopment.
4. Loss of outlook.
5. Access.

6. Loss of privacy.

Statutory Consultees:

Welsh Water – No objections.

Environment Agency – No objection.

Head of Engineering and Transport (Drainage) – No objection.

Head of Engineering and Transport (Highways) – Objection.

Western Power – Apparatus not affected.

### **APPRAISAL**

This application seeks outline planning permission with all matters reserved for the erection of two dwellings on land within the rear garden of 22 Lletty Dafydd, Clyne, Neath.

The site lies within the curtilage of the existing dwelling and is currently use as a garden area. The land falls sharply from the adjoining highway to the rear of the garden. The L shaped application site has a frontage onto Lletty Dafydd of 12 metres increasing to a maximum of 23 metres wide and a depth of 26 metres, retaining a depth of 10 metres of amenity space for the donor property.

The main issues for consideration with regard to this application relate to the acceptability of the proposed dwelling at this location having regard to prevailing planning policies, visual and residential amenity in addition to highway safety.

In respect of Policy, the site lies within the settlement of Clyne as defined by the settlement limit within the Neath Local Plan. Policy H3 allows for infill housing development within the settlement limits of the residential areas, providing criteria are met. These criteria include issues of over-intensification, residential amenity, character and appearance, highway and pedestrian safety and design.

Within the Neath Port Talbot Deposit Draft Unitary Development Plan, the site is again located within the defined settlement limit for the area. Policy H3 allows for infill and windfall development within defined

settlement limits, subject to criteria. These criteria again include issues of amenity, and highway and pedestrian safety.

Turning first to the character and pattern of development within the surrounding area, this is defined along this side of the road by detached and semi detached dwelling houses, fronting onto the highway and set within long rear gardens. In contrast, the proposed dwellings will be located within the rear garden, behind no. 22 Lletty Dafydd. Whilst the proposed properties will incorporate moderate sized curtilages, their siting to the immediate rear of the property will result in the introduction of a cramped form of backland development which is out of keeping with the character and appearance of the surrounding area.

The proposal would also set an unacceptable precedent for further development within the rear gardens of the dwellings along Lletty Dafydd, the cumulative impact of which would further undermine the character of the area and the amenities of neighbouring residents.

In respect of Highway and Pedestrian safety, the Head of Engineering and Transport, Highway Section, objects to the application as it would appear that the required shared drive gradient of 1 in 9 and a turning facility could not be provided due to the change in level over the site whilst at the same time providing access to the dwellings. The proposal will therefore compromise highway safety.

Turning to residential amenity, due to the sloping nature of the plot, any dwelling would be sited at a lower level than the existing property, and neighbouring properties along this part of Lletty Dafydd. However their close siting in relation to the rear curtilages of properties fronting onto Lletty Dafydd is likely to result in a loss of amenity to these properties through overbearance and overshadowing upon their rear amenity spaces. In addition there may be issues of overlooking, however it may be possible to mitigate against overlooking through sensitive design which would be addressed at reserved matters stage.

In respect of the objections received, the possible issues of overlooking and loss of privacy have been addressed, and are material in this case. In respect of the lack of information it should be noted that the application is made in outline, details of the proposed dwellings would be the subject of a reserved matters application. Highway access issues have also been addressed, and the concerns of the Highway Section support these objections. In respect of the principle and the overdevelopment of the area has also been addressed, and this matter is considered material.

In conclusion it is considered that the proposal will result in the introduction of a cramped form of backland development which will detract from the character and appearance of the surrounding area and which will overbear and overshadow existing properties to the detriment of residential amenities. Furthermore, the topography and the site dictates that safe access to the site cannot be achieved. -The proposal could also establish an unacceptable precedent for further development which would further detract from visual and residential amenities. The proposal is therefore contrary to Policy H3 Local Plan and Policies H3 in the Neath Port Talbot Deposit Draft Unitary Development Plan. Refusal is recommended.

**RECOMMENDATION:        Refusal**

**REASONS:**

- (1) The proposed development will result in the introduction of a cramped form of backland development which is out of keeping with the character and pattern of development within the surrounding area and as such is contrary to Policy H3 of the Borough of Neath Local Plan and Policy H3 of the Neath and Port Talbot Deposit Draft Unitary Development Plan.
- (2) The application site comprises backland development unrelated to any street frontage and its development for residential purposes would adversely affect the amenity and privacy of residents within existing properties contrary to policy H3 of the Borough of Neath Local Plan and Policy H3 of the Neath and Port Talbot Deposit Draft Development Plan.
- (3) The application site by virtue of its topography is unable to accommodate an acceptable access drive to a gradient of 1 in 9 nor is it capable of accommodating a satisfactory turning facility. The proposal is therefore contrary to Policy H3 of the Borough of Neath Local Plan and Policies H3 and T1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

<b>ITEM 4. 10</b>	
<b>APPLICATION NO: P/2006/1231</b>	<b>DATE: 29/08/2006</b>
<b>PROPOSAL:</b>	<b>DECKING AT REAR OF GARDEN</b>
<b>LOCATION:</b>	<b>164 CIMLA CRESCENT, NEATH SA113PF</b>
<b>APPLICANT:</b>	<b>MR &amp; MRS MILLS</b>
<b>TYPE:</b>	<b>Householder</b>
<b>WARD:</b>	<b>Neath South</b>

### **BACKGROUND INFORMATION**

#### **Planning Application No. P/2006/1231**

##### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan:

Policy E67 New development.

Neath Port Talbot Deposit Draft Unitary Development Plan:

Policy GC 1 General Conditions.

##### **b. Other Policies**

None.

##### **c. Relevant Planning History**

None.

##### **d. Responses to Consultations**

Number of properties consulted: 1

Number of replies received: 0

Statutory Consultees:

Neath Town Council: No objections.

## **APPRAISAL**

Full planning permission is sought for the erection of an area of raised decking within the rear curtilage of a dwelling at 164 Cimla Crescent, Neath.

The application site comprises a detached dwellinghouse with integral garage and gardens to front and rear. Existing external materials are render and brick to the walls and tiles to the roof. The plot slopes downwards steeply from Cimla Road the road level spot height is at approximately 74 metres whilst the rear of the garden is approximately 68 metres giving a drop of some 6 metres between the road level and rear of the garden. To the south and west of the site the land is undeveloped and is a densely wooded area bordering the Gnoll Brook. The only property having an adjoining boundary with the application site is number 162 Cimla Road. The boundary treatment between the two properties consists of a 1.2 metre high close boarded fence.

The application seeks permission for the construction of a raised wooden decked area located to the rear of the garden of the property on an area of land which appears to be presently unused and largely covered in scrub. The land belonging to the adjacent property is laid to lawn. The proposed structure measures 12 metres in width by 6 metres in depth giving a total area of 72 square metres and is set in one metre from the side boundaries of the site and between 1.5 and 6 metres in from the rear boundary. The proposed decking is shown as being built off an existing retaining wall approximately 1.8 metres in height, the land below the proposed structure slopes steeply to the rear. Due to the topography, the height of the deck from ground level varies between 1.8 metres, adjoining the retaining wall, and some 3 metres to the rear of the structure. It is proposed to erect a 1.5 metre high fence to the perimeter of the decked area which will give a final height for the structure of between 3 metres and 4.5 metres above ground level. The proposed structure will be constructed predominantly of wood with wooden cladding to the sides and close boarded fencing to the perimeter.

The main issues for consideration with regard to this application relate to the likely impact upon the character of the surrounding area and the amenities of the neighbouring residents.



In the context of the current development plan policy framework ,Policy E67 of the Borough of Neath Local Plan states that new development will be expected to pay particular attention to the scale, height and massing and be sympathetic to their surroundings. The Neath and Port Talbot Deposit Draft Unitary Development Plan supports the above policy and goes on to state that any structure will not be permitted if it would create an unacceptable impact in failing to ensure that there are reasonable levels of privacy and amenity for occupiers of properties adjacent to the site.

In terms of the impact upon the character of the area, the proposal is located to the rear of the property at the end of the garden. Whilst it will not be visually prominent from any public vantage point, it will be visible from the curtilage of the adjacent dwelling. Its close proximity to the neighbouring dwelling together with it's design and scale dictates that it will be a visually obtrusive structure to the detriment of the visual amenity of the immediate surroundings.

Turning to the amenities of neighbouring residents, because of the nature of the topography of the site at the lower end of the garden the structure as proposed would present a solid structure between 3 metres and 4.5 in height, 1 metre from the boundary with the adjacent property number 162. As such it is considered that in terms of its height size and bulk the proposal would result in an unacceptable overbearing impact upon the neighbouring property to the detriment of the residential amenities of the neighbouring residents. In addition the use of the decked area would cause undue overlooking to a significant section of the garden of the adjacent property resulting in an undue loss of privacy and residential amenity.

In conclusion, the proposed structure would detract from the visual amenity of the immediate vicinity and would also result in the loss of residential amenity in terms of the overbearing affect of the proposal and the likely possibility of overlooking of the garden of the adjacent property from the raised decking. Refusal is therefore recommended.

**RECOMMENDATION: Refusal**

**REASONS:**

(1) The proposed development by reason of its size, height and siting would result in an unacceptable overshadowing, overbearing impact and loss of privacy to the detriment of the residential amenities of the

residents within the adjacent dwelling. The proposal is therefore contrary to policies E67 of the Borough of Neath Local Plan and Policy H3 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

(2) The proposed raised deck area, by virtue of its scale, design and siting in relation to the neighbouring property will result in the introduction of a visually obtrusive and incongruous structure to the detriment of the visual amenity of the immediate vicinity. The proposal is therefore contrary to Policy E67 of the Borough of Neath Local Plan and Policy H3 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

<b>ITEM 4. 11</b>	
<b>APPLICATION NO: P/2006/1319</b>	<b>DATE: 07/09/2006</b>
<b>PROPOSAL: DEMOLITION OF EXISTING FARMHOUSE AND OUTBUILDING AND ERECTION OF NEW FARMHOUSE</b>	
<b>LOCATION: CEFN UCHAF FARM, LANE FROM INTERVALLEY ROAD TO CEFN UCHAF FARM, GLYNNEATH, NEATH NEATH PORT TALBOTS A11 5TY</b>	
<b>APPLICANT: MR. PAUL CHALLENGER</b>	
<b>TYPE: Full Plans</b>	
<b>WARD: Glynneath</b>	

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan**

Borough of Neath Local Plan

H8 - Housing Design.

T26 - New development and highway safety.

E55- Development in the countryside.

E58- New dwellings on farms.

E67 - The design of new development.

Neath Port Talbot Deposit Draft Unitary Development Plan.

Policy 1 - The protection of the countryside.

ENV1- Development in the countryside.

ENV3- Impacts on the landscape.

ENV8 - New buildings, conversions and operations in the countryside including farm diversification

GC1 - General Considerations.

T1 - Location, layout and accessibility of new proposals.

#### **b. Other Policies**

None

#### **c. Relevant Planning History**

P06/1459 – Creation of new access – Not determined

#### **d. Responses to Consultations**

The application was advertised on site and in the press

Number of properties consulted: 0

Number of replies received: 0

Statutory Consultees:

Glynneath Town Council – No reply, therefore no observations to make

The Head of Engineering and Transport (Highways) – No objections

The Head of Engineering and Transport (Drainage) – No objections

Environment Agency – No objection

The Head of Street Care Services (Arboricultural Officer) – No objection

Western Power Distribution – Apparatus not affected

Dwr Cymru Welsh Water – No reply

Wales and West Utilities – No reply

#### **APPRAISAL**

This is a full planning application for the demolition of an existing farm house and agricultural outbuilding at Cefn Uchaf Farm, Intervalley Road, Banwen and its replacement with a new farm house

The application site comprises a two-storey farmhouse situated between two agricultural buildings, set some 125.0m off Intervalley Road which is the main point of access to the site. The application site is located within substantial farmland also under the applicant's ownership. There are no other properties within the immediate vicinity.

Fronting a yard area, the existing complex of farmhouse and attached western and eastern agricultural buildings have a total frontage of 56.7m. The existing two-storey farmhouse has a gross floor area of 276 square

metres and a footprint of 171 square metres. The ridgeline is 0.5m higher than the attached agricultural buildings.

A planning application (Ref No. P2006/1459) has been received for the creation of a new access that is currently being determined.

The application details the demolition of the existing farmhouse and the western agricultural building. The eastern agricultural building to the east is to be retained and refurbished for agricultural use. The proposed replacement dwelling is to be two-storey and sited on part of the footprint of the existing farmhouse and attached agricultural building, as well as extending forward of the existing building line. The proposed dwelling will have a ridge height of 7.35m and a gross floor area of 371 square metres and a foot print of 286 square metres. Windows and door openings are proposed in all elevations. The accommodation proposed will comprise:

- Ground floor – Living room, kitchen, study, pantry, lobby, utility, games room and garage.
- First floor – Four bedrooms (one with en-suite) and a bathroom.

The exterior is to be finished in render and stone, while the roof is proposed to be finished in natural slate.

The main issues to be considered in the determination of the application are the suitability of the site for a larger dwelling, impact upon the residential amenity of the adjacent dwellings, impact on visual amenity and the impact upon the highway safety of the existing road network.

In terms of policy, the site is located outside the designated settlement limits for the area, as set out within the Neath Port Talbot Deposit Draft Unitary Development Plan and countryside policies prevail. In this particular case Policy ENV8 (b) sets out the criteria in relation to the provision of replacement dwellings. It states that “replacement dwellings in the countryside will only be permitted if they satisfy the following criteria:-

b) replacement dwellings:-

- i) the dwelling has no architectural or historical merit;
- ii) it can be demonstrated that the building has a current lawful use as a dwelling;

- iii) the size and scale of the replacement dwelling, associated buildings and garden relate to and are not substantially larger than the existing; and
- iv) the proposal confirms the timescale for the removal of the existing dwelling and the reinstatement of the land.

In the explanation of the policy it goes on to say that “proposals for replacement dwellings and for conversion to and the extension of existing dwellings will be expected to enhance the countryside. They should take the opportunity to provide a design which may be innovative, but which respects the design, scale and layout of dwellings in the local countryside. The size and bulk of the proposed buildings is likely to have a major influence on its visual impact, and proposals should not normally exceed the footprint or cubic content of the original building by more than 20%.”

Concerns were raised with the applicant that the proposal did not adhere to the above policy provisions and that in this particular case the proposal provided a dwelling that has an increased mass, which is suburban in appearance and would be visually intrusive at this location. It was highlighted that a favourable scheme may include the renovation of the existing farmhouse with a possible rear extension or alternatively the conversion of the attached agricultural building to provide residential accommodation.

In response to this the applicant’s agent considers that the proposal has satisfied the relevant policy issues, but does state “that the proposed building is to be 365 square metres, which is only 45square metres greater than the 320 square metres of the current building. This is an increase of only 12.3%, which is substantially less than the 20% that you have confirmed would be acceptable by the local authority. While it is agreed that the proposal meets three of the four criteria outlined by Policy ENV8 (b), it is considered that that the main point of contention is Policy ENV8 (b) (iii). As outlined earlier in the report, the existing farmhouse has a gross floor area (which does not include the floor area of the attached agricultural buildings) of 276 square metres, not 320 square metres as stated by the applicant’s agent. The proposed dwelling has a gross floor area of 371 square metres, which equates to an increase of 95 square metres or 34%. In respect of the footprint, the proposal results in an increase in the footprint of 57 square metres, an increase of 33%. In light of this significant increase it is considered that the provision of a substantially larger replacement dwelling on a larger footprint would lead to the incremental erosion of the countryside, which will in turn suburbanise this current rural setting. It is therefore considered that the

proposal would unduly harm the character and appearance of this rural area.

In relation to the impact on the amenities of neighbouring properties, it is considered that due to the rural location of the proposal there are no issues regarding the overbearing nature of the proposal or the loss of privacy through the overlooking of private amenity space. The proposal would not therefore have an adverse impact upon the residential amenity of the neighbouring properties.

Turning to highway safety, the Head of Engineering and Transport (Highways) has no objections subject to conditions. The proposal is therefore considered to be satisfactory on highway grounds.

In conclusion, it is considered that the proposal by virtue of its larger footprint and increased bulk and massing is contrary to the Countryside Protection policies contained within the Development Plan, namely Policy ENV8 of the Neath Port Talbot Deposit Draft Unitary Development Plan and should be resisted.. Refusal is therefore recommended.

**RECOMMENDATION:      Refusal**

**REASONS:**

(1) The proposal will result in the provision of a replacement dwelling that is substantially larger than the existing dwelling resulting in an unjustified and suburbanising form of residential development within the open countryside which will be detrimental to the visual amenity and the character and appearance of this rural location, contrary to Policy ENV8 of The Neath Port Talbot Deposit Draft Unitary Development Plan.

<b>ITEM 4. 12</b>	
<b>APPLICATION NO: P/2006/1335</b>	<b>DATE: 11/09/2006</b>
<b>PROPOSAL: TWO SINGLE STOREY FRONT EXTENSIONS, ONE SINGLE STOREY REAR EXTENSION AND A TWO STOREY REAR EXTENSION</b>	
<b>LOCATION: 115 PENLLYN, CWMAVON, PORT TALBOT NEATH PORT TALBOTS A12 9NW</b>	
<b>APPLICANT: MR D A WILLIAMS</b>	
<b>TYPE: Householder</b>	
<b>WARD: Bryn &amp; Cwmavon</b>	

### **BACKGROUND INFORMATION**

#### **e. Structure/Local Plan Policies**

Port Talbot Local Plan  
R20 Extensions.  
T11 Car parking.

Neath Port Talbot Deposit Draft Unitary Development Plan  
GC1 General Considerations.  
T1 Location, Layout and accessibility of new proposals.

#### **f. Other Policies**

A Guide to Household Extensions.  
DG4 Porches.

#### **g. Relevant Planning History**

None.

#### **h. Responses to Consultations**

Number of Properties Consulted: 8

Number of replies received: 0

Statutory Consultees:



Network Development Consultants (Hyder): No reply, therefore no observations to make.

## **APPRAISAL**

Full planning permission is sought for the erection of two single storey front extensions, and a part two storey part single storey rear extension. The application property is a terraced dwelling at 115 Penllyn, Cwmafan.

The proposal is to construct two single storey front extensions. The first will measure 3.4m wide, with a depth of 2.1m, reaching to a height of 3.5m. It will provide a new sun-room accessed off the existing lounge. The second front extension will be constructed in place of the existing store-room, and will be for a new porch and store measuring 3.8m wide, with a depth of 1.5m and a height of 3.3m. On the rear elevation, the proposal is to construct a single storey extension measuring 4.5m wide, with a depth of 0.8m and height of 3.4m, which would provide an enlarged lounge area. A two storey extension is also proposed measuring 3.9m wide, with a depth of 3m and reaching a maximum height of 6.2m to the ridge of the roof. It will accommodate a new kitchen on the ground floor, and a new bath/shower-room on the first floor.

The main issues to be considered in the determination of this application are the impact upon the residential amenity of the neighbouring properties, and the impact upon the character and appearance of the surrounding area.

In terms of residential amenity, the proposed extensions will not cause any unacceptable overlooking, as there is only one side-facing window proposed for the new kitchen, and the view of Number 116 from this window would be obscured by the existing utility room. However, while it is considered that the front extensions would not impact upon the neighbouring properties, it is considered that the rear extensions by virtue of their scale and proximity to the rear boundary, together with the overall increase in height, would result in an unacceptable impact upon the amenity of the properties to the rear, by virtue of an unacceptable overbearing impact. Whilst it is acknowledged that a pedestrian path separates the application property from the properties to the rear, only a distance of 2.5m will separate the two storey extension from these gardens. This restricted distance will result in unacceptable overbearance to the detriment of the amenities of residents within these properties.

With regards to visual amenity, the proposed extensions will be constructed with facing brickwork and concrete roof tiles to match the existing dwelling.

The application property forms part of a terrace of two storey dwellings which incorporate a uniform size and design. The exception to this is a property which has been fitted with a canopy on the front elevation, however, this is an exception to the rule. Nevertheless, the construction of two distinctly separate extensions on the front elevation will result in the introduction of visually incongruous and cluttered development on the front elevation which detract from the original design and proportions of this primary elevation, to the further detriment of the streetscene contrary to Policy R20 of the Port Talbot Local Plan and GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

Turning to the rear extensions, the proposed single and two storey rear extension by virtue of their size and the restricted area of the rear garden will result in a substantial area of the rear curtilage being developed which in turn, will result in the over development of the site to the detriment of the character and pattern of development within the surrounding area contrary to Policy GC1 of the Neath Port Talbot Deposit Unitary Development Plan.

In conclusion the proposed single storey front extensions will result in the introduction of visually incongruous structures which clutter and detract from the design and proportions of the primary front elevation. Furthermore, the part single storey part two storey rear extension will result in a cramped form of overdevelopment within the rear curtilage which will also have an unacceptable overbearing impact upon the rear garden of No. 121 to the detriment of their residential amenities. The proposals are therefore contrary to Policy R20 of the Deposit Draft Port Talbot Local Plan, and Policy GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan. Refusal is therefore recommended.

**RECOMMENDATION: Refusal**

**REASONS:**

(1)The proposed single storey front extensions will result in the introduction of visually incongruous structures which will clutter and overwhelm the simple design and proportions of the primary elevation to the detriment of its visual amenity and the character and appearance of the streetscene, contrary to Policy R20 of the Port Talbot Local Plan and

Policy GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

(2)The proposed part two storey part single storey rear extension by virtue of their excessive scale in relation to the restricted curtilage of the property will result in overdevelopment of the application site to the detriment of the character and patten of development within the surrounding area. Furthermore, its siting on the rear boundary together with its height will result in an unacceptable overbearing impact upon No. 121 Penllyn, to the detriment of their residential amenities contrary to Policy GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

<b>ITEM 4. 13</b>	
<b>APPLICATION NO: P/2006/1359</b>	<b>DATE: 19/09/2006</b>
<b>PROPOSAL:</b>	<b>TWO STOREY SIDE AND REAR EXTENSION</b>
<b>LOCATION:</b>	<b>LLWYN MEUDWY ISAF FARM, CHURCH ROAD, YNYSMEUDWY PONTARDAWE, SWANSEA NEATH PORT TALBOTS A8 4TS</b>
<b>APPLICANT:</b>	<b>MR S J &amp; MRS P S LEWIS</b>
<b>TYPE:</b>	<b>Householder</b>
<b>WARD:</b>	<b>Pontardawe</b>

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan**

Northern Lliw Valley Local Plan  
EQ15 – Built Up Environment  
T10 – Car parking

Neath Port Talbot Deposit Draft Unitary Development Plan  
ENV8 – New buildings in the countryside  
GC1 - General Considerations  
T1 – Location, layout and accessibility of new proposals

#### **b. Other Policies**

None

#### **c. Relevant Planning History**

None

#### **d. Responses to Consultations**

A site notice was displayed on site

Number of properties consulted: 0

Number of replies received: 0

Statutory Consultees:

Pontardawe Town Council – No objection

Head of Engineering and Transport (Highways) – No objection subject to conditions

Head of Engineering and Transport (Drainage) – No observations

## **APPRAISAL**

This a full planning application to provide a two-storey side and rear extension at Llwynmeudwy Isaf Farm, Church Road, Ynysmeudwy.

The application site comprises a traditional, two-storey, detached farmhouse situated within substantial farmland under the ownership of the applicant. The property has a footprint of 54 square metres. The side elevation of the property is situated some 5.0m off Church Road, whereby the existing boundary treatment comprises a hedgerow. There are no other properties within the immediate vicinity.

The proposal details an increase in the ridge height of the existing dwelling, a two-storey side and rear extension, and a first floor rear balcony.

The ridge height of the dwelling is to be raised by 1.0m to a height of 9.0m. The proposed rear extension will be incorporated under the raised roof and will have the dimensions 7.9m by 5.8m. The remaining two-storey element will protrude beyond the main side elevation measuring 5.7m by 6.0m. A pitched roof to complement that extending over the main dwelling will be provided to a maximum height of 7.5m. The proposed first floor rear balcony is accessed via the landing, and will project 0.8m off the proposed rear elevation at a width of 2.1m and a height of 2.6m. The resulting footprint will be 131 square metres. It is proposed to demolish the existing porch and block up the existing doorway on the front elevation and replace it with a sash window to match the existing dwelling. Windows are also proposed in the front elevation of the extension, with further windows and doors in the remaining elevations.

The exterior is to be finished in render, while the roof is to be finished in slate to match the existing dwelling.

Concerns were raised with the applicant's agent in respect of the proposal not complying with the provisions of Policy ENV8 of the Neath Port Talbot Deposit Draft Unitary Development Plan. Further concerns were also raised with regards the fenestration on the front elevation. To date no amendments have been received and it is considered that the application should be determined as it stands.

The main issues for consideration with regard to this application relate to the impact upon the residential amenity of the adjacent dwellings, impact on visual amenity and the impact upon the highway safety of the existing road network while having regards to the relevant development plan policies.

In relation to Policy, the explanation of Policy ENV8 of the Neath Port Talbot Deposit Draft Unitary Development Plans states that "proposals for replacement dwellings and for conversion to and the extension of existing dwellings will be expected to enhance the countryside. They should take the opportunity to provide a design which may be innovative, but which respects the design, scale and layout of dwellings in the local countryside. The size and bulk of the proposed buildings is likely to have a major influence on its visual impact, and proposals should not normally exceed the footprint or cubic content of the original building by more than 20%."

In this particular case, the proposed extension increases the footprint from 54 square metres to 131 square metres, an increase of 77 square metres or 143%. In light of this significant increase it is considered that the provision of a substantial two-storey side and rear extension along with an increased ridge height, results in a disproportionate addition to the existing dwelling, which will lead to the incremental erosion of the original scale and proportions of the dwellinghouse to the detriment of the visual amenity of the surrounding countryside. Along with the poor design of the proposed front fenestration and the siting of the main entrance on the side elevation which further undermines the primacy of the front elevation of the original dwelling, the proposal will have a detrimental impact on the character and appearance of this rural area.

In relation to the impact on the amenities of neighbouring properties, it is considered that due to the rural location of the proposal there are no issues regarding the overbearing nature of the proposal. With regard to the balcony, it is considered that due to the boundary treatment with Church Road and the rural location there are no issues with regards the loss of privacy through the overlooking of private amenity space. The

proposal would not therefore have an adverse impact upon the residential amenity of the neighbouring properties.

Turning to highway safety, the Head of Engineering and Transport (Highways) has no objections subject to conditions. The proposal is therefore considered to be satisfactory on highway grounds.

In conclusion, it is considered that by virtue of its excessive size and poor design of the front fenestration, the proposal is contrary to the Countryside Protection policies within the Development Plan and should be resisted. As a result it is considered that the proposal is contrary to Policy ENV8 of the Neath Port Talbot Deposit Draft Unitary Development Plan. Refusal is therefore recommended.

**RECOMMENDATION:      Refusal**

**REASONS:**

(1) The proposal will result in the provision of a disproportionate addition that increases the footprint of the existing dwelling by 143%. Along with the poor design of the proposed front fenestration, the proposal results in an excessive extension within the open countryside, which will be detrimental to the visual amenity and the character and appearance of this rural location, contrary to Policy ENV8 of The Neath Port Talbot Deposit Draft Unitary Development Plan.

<b>ITEM 4. 14</b>	
<b>APPLICATION NO: P/2006/1371</b>	<b>DATE: 20/09/2006</b>
<b>PROPOSAL:</b>	<b>2 NO. DETACHED DWELLINGS -</b>
<b>OUTLINE</b>	
<b>LOCATION:</b>	<b>LAND ADJACENT TO, 2 NEATH ROAD, FFOREST GOCH PONTARDAWE, SWANSEA NEATH PORT TALBOTS A8 3JB</b>
<b>APPLICANT:</b>	<b>MR. GARETH HYWEL DAVIES</b>
<b>TYPE:</b>	<b>Outline</b>
<b>WARD:</b>	<b>Rhos</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan**

Northern Lliw Valley Local Plan  
 Policy EQ1 – Development in the open countryside  
 Policy EQ3 – Coalescence of settlements  
 Policy EQ4 – Green Wedge

UDP (Draft Deposit)  
 Policy ENV1 – Development in the countryside  
 Policy ENV2 – Green Wedge.

### **d. Other Policies**

Planning Policy Wales

### **c. Relevant Planning History**

78/0435 – Residential development – Refused 17/10/78  
 80/0493 – Three dwellings – Refused 2/12/80. Subsequent appeal dismissed.  
 89/0691 – Residential – Refused 23/11/89. Subsequent appeal dismissed.  
 91/0573 – One dwelling. - Refused 2/1/92.  
 94/0307 – Two dwellings – Reused 22/9/94. Subsequent appeal dismissed.  
 97/1357 – Two dwellings – Refused 8/1/98.



04/0384 – One dwelling – Refused 01/07/04

#### **d. Responses to Consultations**

Number of properties consulted: 10

The application was also advertised on site and in the press as a development not in accordance with the Development Plan.

Number of replies received: 0

Statutory Consultees:

Cilybebyll Community Council – Recommend refusal as the site lies within a Green Wedge.

Head of Engineering and Transportation (Highways) – No objections

Head of Engineering and Transportation (Drainage) – No objections

Welsh Water – No objections

Environment Agency – Advises part of the site lies within a C2 Zone.

#### **APPRAISAL**

Outline planning permission is sought for the construction of two detached dwellings with all matters reserved for subsequent approval on land adjacent to 2 Neath Road, Fforest Goch, Pontardawe.

The application site is a rectangular parcel of land, 0.37ha in area, having a 45m frontage to the eastern side of the A474 and a depth of 100m to the western bank of the Afon Clydach. The site appears to be in agricultural use and lies to the north of two pairs of semi detached dwellings which form part of a loose knit group of scattered dwellings which straddle either side of the A474.

The site has been the subject of seven previous applications for residential development all of which have been refused on rural protection policy grounds and three have been dismissed on appeal for the same reasons.

The main issues for consideration relate to the harm that may be caused to this Green Wedge area by a development of this nature and whether or not the applicant has submitted any compelling or convincing arguments in support of the application to enable the Local Planning Authority to make an exception to the restrictive planning policies contained in the

Local Plan, the emerging Unitary Development Plan (Draft Deposit) and National Planning Guidance.

The site lies within the open countryside where the land surrounding has been afforded special protection by its designation as a Green Wedge to prevent sporadic development, the coalescence or consolidation of settlements and to protect the rural character of the area.

The planning policies referred to above, together with advice contained in Planning Policy Wales, clearly state that there is a presumption against inappropriate development with Green Wedge areas and the Local Planning Authority should attach substantial weight to any harm which a development may have on such areas. Inappropriate development includes the construction of new dwellings not justified for agricultural or forestry needs. Furthermore the loose knit group of dwellings is not defined in any of the above policy documents as a separate settlement where limited and sensitive infill may, in special circumstances, be acceptable.

It should be noted that in the last appeal decision in May 1995, the Inspector considered that the development would have a significant and harmful urbanising affect on the locality and thus would be out of accord with the general aim of preserving the Green Wedge. The Inspector was of the opinion that Fforest Goch 'does not form part of a coherent settlement and is best described as a loose ribbon of sporadic dwellings straddling the A474 main road in a pleasant open countryside location'.

In addition to the foregoing, it should be noted that TAN 15 Development and Flood Risk has been introduced since the last refusal of consent and part of the site has been identified as lying within Zone C2 where 'highly vulnerable development' such as residential should not be permitted. In this request however, the zoning relates to a very small area of land located along the eastern extremity of the site and which would easily be deleted from the application site and a very large 'developable' area would remain.

It is therefore considered that there are other surrounding issues to be addressed and it is not proposed to incorporate a reason for refusal relating to TAN 15 implications.

In conclusion it is considered that there has been no material change in the planning circumstances relevant to this site since the last refusal notice was issued other than the introduction of TAN 15 which is

addressed above. The proposal constitutes an unjustified and inappropriate form of development which would cause considerable harm to the sites' rural character and appearance. No special circumstances or other compelling reasons have been put forward by the applicant to outweigh the strong presumption against any new development which would detract from the rural character and appearance of the area. The proposed development is therefore considered to be contrary to adopted and emerging planning policy and advice contained in Planning Policy Wales. Refusal is therefore recommended.

**RECOMMENDATION: Refusal**

**REASONS:**

(1) The site is located in the countryside in an area designated as a green wedge in Policy C4 of the West Glamorgan Structure Plan, Policy EQ4 of the Northern Lliw Valley Local Plan and Policy ENV2 of the Neath Port Talbot Deposit Draft Unitary Development Plan and the proposal would be contrary to the aims of these policies which are to conserve and enhance the character and appearance of the green wedge.

(2) The proposal would result in the consolidation of a sporadic group of dwellings and would lead to the coalescence of built form to the detriment of the rural character and amenity of the area, contrary to Policies C1, C5 and C6 of the West Glamorgan Structure Plan, Policies EQ1 and EQ3 of the Northern Lliw Valley Local Plan and Policy ENV1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

(3) The proposal would establish an unacceptable precedent for the further development of dwellings along the length of the A474 to the further detriment of the rural amenity and character of the area.

<b>ITEM 4. 15</b>	
<b>APPLICATION NO: P/2006/1394</b>	<b>DATE: 28/09/2006</b>
<b>PROPOSAL:</b>	<b>FISHING LAKE</b>
<b>LOCATION:</b>	<b>CILCARN FARM, BRYN, PORT TALBOT</b>
<b>APPLICANT:</b>	<b>MR J MORTIMER</b>
<b>TYPE:</b>	<b>Full Plans</b>
<b>WARD:</b>	<b>Bryn &amp; Cwmavon</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Port Talbot Local Plan.

E1- Promote development in accord with natural ecological processes.

E9- Natural resources, ecology and agriculture.

E11- Development in the countryside.

Neath Port Talbot Deposit Draft Unitary Development Plan  
Policy 1- Protection of countryside.

GC1- General Considerations.

ENV1- Development in the countryside.

ENV3- Impacts upon landscape.

ENV5- Nature conservation.

ENV8- Farm Diversification.

ENV12- Proposals affecting water quality and resources.

ENV18- Engineering operations.

ENV30- Environmental quality and amenity.

T1- Location, layout and accessibility of new proposals.

### **b. Other Policies**

None.

### **c. Relevant Planning History**

P/99/659- Hardstanding for agricultural use- Approved- 12/8/99.

P/01/389- Access Road- Approved- 27/7/01

#### **d. Responses to Consultations**

Number of properties consulted: 0

The application was advertised on site and in the press.

Number of replies received: 0

Statutory Consultees:

Environment Agency- No Objection, subject to conditions.

Head of Engineering and Transport (Highways)- No Objection, subject to conditions.

Head of Engineering and Transport (Drainage)- Concern regarding possible damage to a culvert.

Dwr Cymru Welsh Water- No Reply, therefore no observations to make.

British Waterways- No Objections.

CCW- No Objection.

#### **APPRAISAL**

This application seeks full planning permission for the construction of a lake at Cilcarn Farm, Bryn, Port Talbot.

The farm is located approximately 1 mile north off the B4282, the main road leading from Cwmafon to Bryn. An existing farm access track rises up steeply from the main road, levelling out, and then dropping back down to an existing group of farm buildings, including the farm house itself and farmyard. Adjoining the access track to the east is a natural hollow within the landscape, currently providing a marshy vegetation, and a line of Telecom posts running to the farm complex.

It is proposed to excavate an area of this land to provide a lake. The lake measures an average of 35m wide by 80m in length, and will incorporate a centrally located islet. The maximum depth of the lake will be 3m. The lake is set off the existing access track by 30m to 40m, and there will be a

remodelling of the existing ground levels, the maximum being 2m to the western side of the lake.

The applicant has clarified in writing that the lake will be for uses incidental to the occupiers of the farm only, and will not be utilised by the general public, nor will it be used in association with an agricultural use. In this respect there will be no additional use of the existing access road, and therefore there are no works proposed at this stage to improve or alter this access in any way.

In support of the application the applicant has submitted a Geotechnical assessment report. The conclusions of which clarify that the existing in-situ soils have a low permeability and are suitable for lining the proposed lake, and that subject to the works being undertaken in accordance with appropriate engineering specification, and supervised by a suitably qualified person, that the proposals would not pose a risk of flooding or water logging of lower lying lands.

The proposal will require drainage and outfall works, details of which have not been provided, it is stated within the geotechnical report that; *“Any water arising from the works should be channelled to, and discharged at, suitable approved locations. The formal consent of the Environment Agency is required for all discharges to controlled waters, including both direct discharges to surface water courses and discharges to soakaways, and it is recommended that the Environment Agency be consulted to confirm whether a formal consent would be necessary for the proposed activities.”*

In addition it is clarified within the submitted report that; *“The lower, western areas around the proposed lake, adjacent to the access embankment are to be raised by some 1m to 2m above their present level.”*

It is considered that the material issues in this case relate to the overall visual and environmental impacts of the proposed development, and to some respect issues of highway and pedestrian safety. The principle issue of development in the open countryside is also considered material in this case.

In respect of highway and pedestrian safety, the Head of Engineering and Transport, Highway Section, offers no objection to the proposals, subject to the development being for the sole incidental enjoyment and use of the occupiers of the farm, and for no public use. This matter has been

clarified previously, and a condition can be added to any planning permission restricting the use as such. Any alternative use of the lake will therefore require reconsideration by the authority upon submission of a planning application.

Turning to environmental issues, these refer to issues of the immediate environment and the impacts of the lake in the local area, and wider issues relating to any impacts upon the water regime, and lower lying land. The Environment Agency offer no objections to the proposal, only offering comment on the need for the developer, if importing material into the site to complete the works, to contact the Environment Agency for a waste authorisation, and other licenses which may be required. No comment on the application has been forwarded by CCW nor Welsh Water. The information submitted by the applicant in support of the application states that the works, will not result in any detrimental impact upon lower lying land subject to their completion in accordance with the guidance within the geotechnical report. It is considered that a condition requiring compliance with these guidelines can secure this. In addition full details of the outfall and drainage for the proposed development will be required.

The Head of Engineering and Transport, Drainage Section, clarify that there are issues with respect of a culvert crossing the access track to the site, and that damage to this has occurred previously. The increased use of the track by heavy vehicles for the construction of the lake may require an inspection of the existing culvert, and if required works to ensure the free flow of water.

In respect of the visual and environmental impacts of the proposal it is considered that the development would result in a feature out of character with the overall landscape, and due to increases in ground levels, especially to the western sides of the lake, there will be an alteration in the existing ground form and landscape up to 2m in height, which would likely require the import of additional material into the site. This site has previously imported material to undertake various works, which is clarified by the Environment Agency as being close to cessation. It is considered that the works required for the lake would likely result in a continuation of the import of material to the detriment of visual amenity, and to the detriment of the natural beauty of the countryside. In addition it may result in further increase in heavy traffic and additional damage to the existing culvert crossing the access track, associated with the import of materials to facilitate the excavation and construction of the pond.

The fundamental issue in respect of land use relates to the development lying within the open countryside, and the justification for this proposal at this location. In this case the applicant offers no agricultural justification for the works, and in addition offers no justification in respect of farm diversification or any other use. The proposed lake is therefore to be constructed for its own sake, rather than any intrinsic use or operation connected to its rural location or rural economy.

Policy E9 of the Port Talbot Local Plan refers to the need to protect for its own sake, and enhance the countryside for its ecological, agricultural and recreational value. In addition Policy E11 states that; Development in the countryside outside of the settlement limits of Bryn and Cwmafon will not be permitted except where need is clearly demonstrated as being an essential use within the open countryside, subject to specific criteria. These include impacts upon visual and environmental amenity.

This is further supported by the Neath Port Talbot Deposit Draft Unitary Development Plan, where Policy 1 refers to the need to protect the countryside from development which would have unacceptable impacts. Policy ENV1 clarifies that proposals within the countryside will not be permitted unless they are associated with rural employment or economy, including farm diversification. Policy ENV3 refers to the need to protect local landscape, and that proposals which would create unacceptable impacts should be resisted.

In conclusion it is considered that the proposed development, located within the open countryside, does not provide sufficient justification under the aforementioned development plan policies, and as such is considered to be contrary to Policy E9 and E11 of the Port Talbot Local Plan, and Policies 1, ENV1 and ENV3 of the Neath Port Talbot Deposit Draft Unitary Development Plan, as it provides an unjustified form of development within the open countryside. In addition the proposed development would likely result in the importation of material into the site, and alterations to the existing land form, landscape and character of the area, which will be detrimental to the protection of the natural beauty of the open countryside. Refusal is therefore recommended.

**RECOMMENDATION: Refusal**



**REASONS;**

(1)The proposed fishing lake is an unjustified form of development within the open countryside, and the importation of material which is likely to be required to facilitate its construction will have a detrimental impact upon the natural beauty of the surrounding landscape and character of this rural area, contrary to Policy E9 and E11 of the Port Talbot Local Plan, and Policy 1,ENV1,ENV3 of the Neath Port Talbot Deposit Draft Unitary Development Plan, and the protection of the countryside for its own sake.

<b><u>ITEM 4. 16</u></b>	
<b><u>APPLICATION NO:</u> P/2006/1404</b>	<b><u>DATE:</u> 26/09/2006</b>
<b>PROPOSAL: DEMOLITION OF EXISTING GARAGE - SINGLE STOREY REAR EXTENSION TO DWELLING AND LOFT CONVERSION</b>	
<b>LOCATION: 2 LLETTY DAFYDD, CLYNE, NEATH NEATH PORT TALBOTS A11 4BG</b>	
<b>APPLICANT: GERALD BILLEN</b>	
<b>TYPE: Householder</b>	
<b>WARD: Resolven</b>	

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan**

Borough of Neath Local Plan  
 Policy H8 – Design and Scale of Extensions  
 Neath Port Talbot Deposit Draft Unitary Development Plan  
 Policy GC1 General Considerations

#### **b. Other Policies**

A Guide to Household Extensions.  
 TAN 12 - Design

#### **d. Relevant Planning History**

None

#### **d. Responses to Consultations**

Number of properties consulted: 5

Number of replies received: 0

Statutory Consultees:

Clyne Community Council– No comments received therefore no observations to make.

Head of Engineering and Transportation (Drainage) – No objections

Welsh Water – No objection

## **APPRAISAL**

Full planning permission is sought for the construction of a single storey rear extension and alterations to the roof to facilitate its conversion to residential accommodation at 2 Lletty Dafydd, Clyne, Neath.

The application site fronts the western side of the B4434 running through the village and is occupied by a detached bungalow with an attached single garage at the side. It is one of a group of identically designed bungalows which have a distinctive hipped roof design primarily constructed in natural slate with contrasting red ridge tiles.

This full application details the removal of the existing hip roof and its replacement with a new gable roof together with the raising of its height by 0.3m to enable the attic space to provide a new bedroom and a bathroom. Three small roof lights, each 0.8m x 0.8m, are proposed on the rear elevation. To the rear of the property a small pitched roof extension, 3.6m wide by 2m deep by 4m high, is proposed to accommodate a rear entrance porch and toilet.

The main issues for consideration are whether the design, external appearance and height of the proposed development will cause any harm to the character and appearance of the dwelling in the context of the street scene, and its impact upon the amenities of neighbouring residents. There are no highway safety issues for consideration in relation to the proposed development.

Adopted policy guidance in relation to household extensions requires domestic extensions to have due regard to the height, scale, design, use of materials and should be sympathetic to the character and style of the original dwelling and the surrounding area. This advice is also contained in Planning Policy Wales, Technical Advice Note 12: Design which also emphasises the need to retain locally distinctive patterns and forms of development.

As stated above the bungalow lies within a group of identically designed dwellings with distinctive roof patterns. The proposal to increase the

height of the roof and replace the hips with a gabled structure will not only increase the prominence of the property within the street scene but will disjoint the rhythm and distinctive design of this group of bungalows causing harm to the character and appearance of the area. The proposal will therefore result in the introduction of a visually incongruous structure to the detriment of the character and appearance of the streetscene.

In terms of the rear extension, its restrictive size, design and siting on the rear elevation will ensure that it will not impact to an unacceptable extent upon the visual amenity of the dwelling or the character of the surrounding area.

Turning to the amenities of neighbouring residents, the increase in ridge height and change in the roof design, together with the rear extension by virtue of their siting in relation to neighbouring properties, will ensure that the amenities of neighbouring residents are safeguarded.

In conclusion, it is considered that whilst the alterations and extension will safeguard residential amenities, the increase in ridge height and the change in design of the roof will result in the introduction of an incongruous structure to the detriment of the streetscene. Refusal is therefore recommended.

**RECOMMENDATION:      Refusal**

**REASONS:**

(1) The proposed alterations to the roof shape and raising of the roof height would result in the increased prominence of the property within the street scene and disjoint the rhythm and distinctive design of this group of dwellings causing harm to the appearance of the property and the character and appearance of the streetscene. The proposal is therefore contrary to Policy H8 of the Borough of Neath Local Plan and advice contained in Planning Policy Wales, Technical Advice Note 12: Design

<b>ITEM 4. 17</b>	
<b>APPLICATION NO: P/2006/1436</b>	<b>DATE: 03/10/2006</b>
<b>PROPOSAL:</b>	<b>SINGLE STOREY REAR SUMMER ROOM EXTENSION</b>
<b>LOCATION:</b>	<b>32 MARTYNS AVENUE, SEVEN SISTERS, NEATH NEATH PORT TALBOTS A10 9DR</b>
<b>APPLICANT:</b>	<b>MR VIVIAN SMITH</b>
<b>TYPE:</b>	<b>Householder</b>
<b>WARD:</b>	<b>Seven Sisters</b>

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan**

Borough of Neath Local Plan  
H8 – Housing Design  
E67 – Design of New Development

Neath Port Talbot Deposit Draft Unitary Development Plan  
GC1 – General Considerations

#### **b. Other Policies**

A Guide to Household Extensions

#### **c. Relevant Planning History**

93/334 – Garage – Approved – 11/08/93  
98/272 – Kitchen extension – Approved -24/04/98

#### **d. Responses to Consultations**

Number of properties consulted: 7

Number of replies received: 0

Statutory Consultees:

Seven Sisters Community Council – No reply, therefore no observations to make

The Head of Engineering and Transport (Drainage) – No objections

Dwr Cymru Welsh Water – Identify the location of a public sewer in the vicinity of the application site

## **APPRAISAL**

This is a full planning application for a single-storey side and rear extension at a property known as 32 Martyns Avenue, Seven Sisters.

The application site comprises a two-storey, semi-detached residential dwelling situated in a prominent corner location. The property benefits from a part-width, two-storey element projecting off the main rear elevation, with a ground floor element extending off the remaining rear elevation and wrapping around the rear of the two-storey element, leading out to a raised decking area. A shed is situated 1.2m off the rear of the property along the boundary with the public footway. Similarly designed residential properties surround the application site. Two properties to the south, Nos. 36 and 38 benefit from rear conservatories (Planning references P2005/1145, P2005/1673, P/2005/1842 and P2005/1927).

This application details the demolition of the shed along the boundary with the footway and the provision of a single-storey extension to comprise a summer room. The proposal will be set 2.7m off the boundary with No.34 and due to its proposed dimensions of 4.1m in length by 5.6m in width, the proposal will protrude beyond the side elevation of the dwelling to the boundary with the public footway. A mono-pitched roof to a maximum height of 4.1m from ground level at the rear is proposed to tie into the roof that extends over the existing ground floor extension. A velux roof light is proposed in the plane of the roof. In addition, a window is proposed in the front elevation, with a further window in the side elevation facing No.34, while a french door between two windows will lead out onto a raised balcony. The balcony will measure 3.55m by 1.0m and will have a maximum height of 0.8m. Balustrading to a height of 0.9m is proposed around the perimeter, with steps leading to lower level decking.

The exterior of the extension is proposed to be finished in render to match the existing dwelling, while the roof will be finished in tiles to match the existing dwelling.

The main issues for consideration with regard to this application relate to the impact upon residential and visual amenity having regard to prevailing planning policies in addition to the Design Guide to Household Extensions.

Policy H8 of the Borough of Neath Local Plan states that “extensions should generally be sympathetic in design and size to the size, character and style of the original dwelling and its surroundings”. This is supported by Policy E67 that states “new development will be expected to pay particular attention to their scale, height, mass, materials, to the character of adjacent buildings and spaces, and to the impact on the skyline”. In relation to ground floor rear extensions, the Council’s ‘A Guide to Household Extensions’ states that proposals for ground floor extensions will be treated on their merits taking account of the height and length of the proposal and its position in relation to neighbouring properties, in particular any habitable room windows”.

In relation to visual amenity, it is considered that due to the prominent location of the property within the street scene, the provision of a large mono-pitch roof extension protruding beyond the existing side elevation adjacent to a public footway would result in the introduction of an obtrusive and incongruous feature to the detriment of the character of the property and appearance of the surrounding area and streetscene.

Turning to the impact upon residential amenity, the balcony by virtue of its elevated siting leads to unacceptable overlooking of the private amenity space of neighbouring dwellings. Furthermore, the provision of a window in the side elevation of the sun room facing No.34 facilitates direct overlooking into the neighbouring patio area. It is considered that this would have a significantly adverse impact upon the amenities of residents within neighbouring dwellings.

In conclusion it is considered that the provision of a balcony and a window in the side elevation facing No.34 has a detrimental impact on the amenities of residents within neighbouring dwellings, through loss of privacy. In addition, by way of its design the proposal would have a significantly adverse effect on the visual amenity of the area of the dwelling house to which it relates in addition to the character and appearance of the surrounding area and streetscene. The development is therefore contrary to Policy H8 and E67 of the Borough of Neath Local Plan and refusal is recommended.

**RECOMMENDATION: Refusal**

**REASONS:**

(1) The proposal by reason of its scale, design and siting would result in the introduction of an incongruous feature to the detriment of the character and appearance of the dwelling house to which it relates and upon the visual amenity of the surrounding area and streetscene contrary to Policy H8 and E67 of the Borough of Neath Local Plan.

(2) The balcony by virtue of its elevated siting, and the provision of a window on the side elevation facing No.34 Martyns Avenue allows for direct overlooking of the patio area and rear garden of the neighbouring property to the detriment of the amenities of neighbouring occupiers. The development is therefore contrary to Policy H8 and E67 of the Borough of Neath Local Plan.



<b>ITEM 4. 18</b>	
<b>APPLICATION NO: P/2006/1469</b>	<b>DATE: 12/10/2006</b>
<b>PROPOSAL:</b>	<b>OUTLINE RESIDENTIAL DEVELOPMENT</b>
<b>LOCATION:</b>	<b>LAND REAR OF, 56 GLANYMOR STREET, BRITON FERRY, NEATH NEATH PORT TALBOTS A11 2LF</b>
<b>APPLICANT:</b>	<b>MR D TAYLOR</b>
<b>TYPE:</b>	<b>Outline</b>
<b>WARD:</b>	<b>Briton Ferry We</b>

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan

H3- Infilling and rounding off of settlements.

H8- Housing design and the creation of new dwellings.

T26- New development and highway safety.

E67- The design of new development.

Neath Port Talbot Deposit Draft Unitary Development Plan

GC1- General Considerations.

H3- Infill and windfall development.

T1- Location, layout and accessibility of new proposals.

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

None.

#### **d. Responses to Consultations**

Number of properties consulted: 9

The application was also advertised on site.

Number of replies received: 0

Statutory Consultees:

Head of Engineering and Transport (Highways)- No Objection, subject to conditions.

Dwr Cymru Welsh Water- No Objection, subject to conditions.

Environment Agency- No Objection.

## **APPRAISAL**

This application seeks outline planning permission for the erection of a dwelling on land at the rear of 56 Glanymor Street, Briton Ferry. All details are reserved for subsequent approval.

The existing property lies at the junction of Glanymor Street, and a highway linking through to Ruskin Street. It is proposed to subdivide the existing garden area to create a plot for a single dwelling, with a frontage onto the aforementioned highway link between Ruskin and Glanymor Streets. The plot measures 10.5m deep with a frontage onto the highway 11.5m in length. The subdivision would retain a rear garden area of approximately 3m for the donor property, although the property has a garden area to the side and front of the property.

The plot is bounded to the east by the rear garden area of the adjoining dwelling, No 54 and to the north by the rear garden area of No 57 Ruskin Street. It should also be noted that the donor property is set 4.4m in from the frontage of the plot, a similar distance as the property at the rear, No 57 Ruskin Street. This provides a form or building line along this highway, and if followed would reduce the depth of the plot to 6m.

The applicant has reserved all matters, however, the plans submitted indicate for illustrative purposes, a two storey dwelling sited 1.2m in from the eastern and northern boundaries of the plot. The dwelling, measuring 5m wide by 7.35m deep is set 2m from the plot frontage, approximately 2.4m forward of the adjacent existing dwellings. In addition the dwelling shown, at a height of 7.3m lies within 1.2m of the shared boundary with the rear amenity space of No 54 Glanymor Street. It is again stressed that these plans are indicative only, however, they do provide additional information as to how the possible future development of this plot may impact upon adjoining properties.

It is considered that the material issues in this case relate to highway and pedestrian safety, character and appearance of the area as a whole, and impact upon the existing street scene and pattern of development, and finally the impact upon the amenity of residents within the adjacent properties.

Policy H3 of the Borough of Neath Local Plan, in respect of infilling or rounding off of settlements refers to the need for proposals to be complimentary to their surroundings. In addition Policy H8 in respect of the creation of dwellings refers to the need to consider scale, proximity of adjoining properties, and over-intensification of sites.

Policy H3 of the Neath Port Talbot Deposit Draft Unitary Development Plan, referring to infill development within defined settlement limits, also states that need to consider the effect of proposals upon the amenity of adjoining properties, and the character of the area as a whole.

In respect of highway and pedestrian safety, the Head of Engineering and Transport, Highway Section, offers no objection, subject to conditions. These include the need to provide off street car parking for both the proposed dwelling and the donor property. This can be achieved for both properties and as such the proposal will not have an unacceptable impact upon highway safety.

Turning to the character and appearance of the area as a whole, this is primarily based on an existing local vernacular of traditional two storey dwellings. The development of this site, to provide an acceptable addition, therefore needs to be two storey, and of a scale and proportion in keeping with other properties in the immediate locality. In addition the location of the dwelling would need to take into consideration the line of existing development along this frontage. It is considered that due to the restrictive nature of the plot, that any dwelling would either be out of scale with the immediately adjacent properties, or it would project forward of the existing line of these properties, resulting in an incongruous feature along this highway frontage.

In consideration of the amenity of adjoining properties any dwelling on this site would both impact upon their amenity, and if two storey would result in an overshadowing and overbearing form of development which would significantly affect the amenity that these residents within properties currently enjoy. Whilst design has not been submitted for consideration, it is likely that a dwelling on this site would directly

overlook the rear gardens of properties fronting onto Ruskin Street, in particular no. 55 Ruskin Street and 54 Glanymor Street which bound the rear boundary of the application site.

In conclusion, it is considered that any development of this plot, which would reflect the local vernacular and building pattern would result in a form of development which would impact detrimentally upon the amenity of the adjoining properties by its overbearing proximity to their private amenity space and likely impact upon the privacy of neighbouring residents. In addition the proposed plot is not of sufficient scale to enable a form of development in keeping with the character and pattern of development in the area, and to overcome the aforementioned impacts, would result in a development out of keeping with the area as a whole.

**RECOMMENDATION:      Refusal**

**REASONS:**

(1)The proposed development of this plot for a separate residential dwelling would result in a cramped form of development, out of character with the existing pattern of development in the area as a whole contrary to Policy H3 of the Borough of Neath Local Plan and Policy H3 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

(2) The proposed development by virtue of the restricted scale and siting of the plot and its relationship with neighbouring properties will result in the introduction of a development which will have an unacceptable overbearing, overshadowing and overlooking impact upon neighbouring properties to the detriment of residential amenities contrary to Policies H3 of the Borough of Neath Local Plan and Policy H3 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

<b>ITEM 4. 19</b>	
<b>APPLICATION NO: P/2006/1475</b>	<b>DATE: 03/10/2006</b>
<b>PROPOSAL:</b>	<b>OUTLINE PLANNING APPLICATION FOR ONE DETACHED DWELLING AND GARAGE</b>
<b>LOCATION:</b>	<b>LAND AT REAR, 12 - 22 MAIN ROAD, BRYNCOCH, NEATH NEATH PORT TALBOTS A10 7PD</b>
<b>APPLICANT:</b>	<b>MRS KAREN BAKER</b>
<b>TYPE:</b>	<b>Outline</b>
<b>WARD:</b>	<b>Bryncoch South</b>

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan**

Borough of Neath Local Plan

H3 – Infilling and rounding off of settlements

H8 – Housing Design and the creation of new dwellings

E67 – The design of new development.

Neath Port Talbot Draft unitary Development Plan

H3 – Infill and windfall development

GC1 – General considerations

#### **b. Other Policies**

None.

#### **c. Relevant Planning History**

P/96/1572 – Residential development - Refused 23.1.97.

#### **d. Responses to Consultations**

Number of properties consulted: 10

Number of replies received: 2

The objections can be summarised as

1. Loss of trees
2. Loss of privacy

3. Traffic onto an already congested road.
4. Emergency access to the site

Statutory Consultees:

Head of Engineering and Transport (Highways) – No objection subject to conditions.

Welsh Water – No objections, however public sewer crosses site.

Head of Engineering and Transport (Drainage) – No objections Public sewer crossing site.

Head of Streetcare Service (Arboriculturist) – Development will affect mature trees within and on the boundary of site.

Environment Agency – No objections

Blaenhonddan Community Council – No objection.

## **APPRAISAL**

This application seeks outline planning permission with all matters reserved for future determination for the erection of a single dwelling and garage on land behind Main Road, Bryncoch, Neath.

The application site comprises a triangular shaped area of land, the eastern boundary of which forms the common boundary with the rear gardens of Nos. 10, 12, 14, 16 and 18, Main Road, Bryncoch. The western boundary is located adjacent to the dwellings at Clos Coed Cerdinen, Waunceirch and is separated from those dwellings by a mature hedgerow which is protected by planning conditions and Section 106 Agreement relating to the Waunceirch development. There are a mixture of deciduous trees within and surrounding this site. The trees range in age from semi mature to mature specimens and consist of Silver Birch, Sycamore, Oak, Beech, Hazel, Alder and Holly. The majority of these trees appear to be in reasonable health and condition. There are four trees on the south eastern boundary covered by individual Tree Preservation Orders.

Access to the site (which is currently landlocked) is proposed by demolishing the existing garage attached to the side of no. 10 Main Road, Bryncoch and provide a driveway of a minimum width of 2.65 metres along the whole depth of the property to the triangular application site at the rear. Parking facilities for no. 10 Main Road will then be provided within the front garden of the dwelling.

The main issues for consideration with regard to this application relate to the acceptability of the proposed dwelling at this location having regard to prevailing planning policies, visual and residential amenity in addition to highway safety.

In respect of Policy the site lies within the settlement of Bryncoch as defined by the settlement limit under the Neath Local Plan. Policy H3 allows for infill housing development within the settlement limits of residential areas. Within the Neath Port Talbot Deposit Draft Unitary Development Plan, the site is again located within the defined settlement limit for the area. Policy H3 allows for infill and windfall development within defined settlement limits, subject to criteria. These criteria include issues of amenity, and highway and pedestrian safety.

Whilst the site is located and contained within the settlement and there is no objection in land use terms to its development for residential purposes, the matters which need to be addressed are the affect of the proposal on amenity and in particular the potential affect of the development in terms of loss of trees and the consequent impact upon the amenity of the area generally.

In terms of its area, the site is somewhat restricted in terms of both area and shape, which consequently renders the parts of the site unsuitable for residential development.

Policy H8 of the Borough of Neath Local Plan refers to proposals for new housing development. It states that the proposal should have regard to the amenities of adjacent residents and the environment generally and that such development should not have an adverse effect due to its design, scale, and proximity to existing properties, access or parking provision.

Policy E67 refers to the design of new development and the effect on the existing tree cover of the site and adjoining land.

The character and pattern of development within the surrounding area is defined by detached and semi detached dwellings fronting onto Main Road while the cul de sacs to the rear also comprise of dwellings benefiting from a road frontage. In contrast, the proposed dwelling will be located within the rear garden, with the only road frontage being an access drive off Main Road to a width of 2.65 metres.

It is therefore considered that the proposal development will result in the introduction of a backland form of development which is at odds with the character and pattern of development within the surrounding area.

Turning to the impact upon the protected trees, it is considered that the proposed development will result in the loss of some trees while others are at risk of varying degrees of root damage. The total number of trees lost will primarily depend on the size and location of the proposed dwelling and the working practices adopted by the building contractor.

In view of the restricted area of the site and, in particular, its irregular shape, together with the restrictions imposed by the public sewer crossing the site, it is considered inevitable that the proposal will result in the loss of tree cover on the site. The tree cover and hedgerows are considered important amenity features and contribute significantly to visual amenity and privacy especially between the established properties along Main road and those at Clos Coed Cerdin, their loss would therefore be detrimental to amenity and privacy.

In respect of Highway and Pedestrian safety the Head of Engineering and Transport, Highway Section, offers no objection to the proposed development subject to conditions.

There is a significant likelihood that any dwelling would result in a loss of amenity to neighbouring properties through overbearance and overshadowing upon the rear amenity spaces of these properties. In addition there may be issues of overlooking, however, it is possible to mitigate against overlooking through sensitive design which would be addressed at reserved matters stage.

In respect of the objections received, the possible issues of overlooking and loss of privacy as well as the loss of trees have been addressed above, and are material in this case. Highway safety issues and parking have also have been assessed by the Highway Section who offer no objections to the proposal.

In conclusion it is considered that the proposal will result in the introduction of a cramped form of backland development which will detract from the character and appearance of the surrounding area and which will overbear and overshadow existing properties to the detriment of residential amenities and which is likely to result in the loss of protected trees to the detriment of the visual amenity of the immediate surrounding area. The proposal could establish an unacceptable



precedent for further development which would further detract from visual and residential amenities. The proposal is therefore contrary to Policy H3 Neath Local Plan and Policies H3 in the Neath Port Talbot Deposit Draft Unitary Development Plan. Refusal is recommended.

**RECOMMENDATION:      Refusal**

**REASONS;**

(1)The proposed development will result in the introduction of an unacceptable form of backland development unrelated to any street frontage and its development for residential purposes would adversely affect the amenity and privacy of existing residential properties by virtue of overbearance and overshadowing to the detriment of residential amenity of occupiers of neighbouring properties. The proposal is therefore contrary to Policies H3 and H8 of the Borough of Neath Local Plan and Policies H3 and GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

(2)Due to the restricted area and irregular shape of the site, it is considered inevitable that the proposed development will result in the loss of protected trees both on and adjacent to the site which would in turn undermine the visual amenity of the surrounding areas and could consequently reduce the privacy of residents within neighbouring properties. The proposal is therefore contrary to Policies H3 and H8 of the Borough of Neath Local Plan and Policies H3 and GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

<b>ITEM 4. 20</b>	
<b>APPLICATION NO: P/2006/1486</b>	<b>DATE: 16/10/2006</b>
<b>PROPOSAL: RETROSPECTIVE APPLICATION FOR CHANGE OF USE FROM GARAGE TO CAR SALES</b>	
<b>LOCATION: WESTERN GARAGE, SWANSEA ROAD, PONTARDAWE, SWANSEA NEATH PORT TALBOTS A8 4AL</b>	
<b>APPLICANT: B E DUGGAN</b>	
<b>TYPE: Full Plans</b>	
<b>WARD: Pontardawe</b>	

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Northern Lliw Valley Local Plan  
EQ15 – Built-up Environment  
T2 - Parking

Neath Port Talbot Deposit Draft Unitary Development Plan:  
GC1 - General Considerations.  
T1 - Location, Layout and Accessibility of new proposals.  
EC2 - Extensions to industrial/Business Premises.

### **b. Other Policies**

None

### **c. Relevant Planning History**

06/987 – Change of use from garage to car sales – Refused – 29/08/06  
84/569 – Garage showroom with flat above – Approved – 15/01/83  
91/410 – Canopy – Approved – 21/11/91  
91/561 – Chapel of rest in basement – Refused – 2/1/92 (Appeal allowed 7/4/92)  
91/630 - Gas bottle store – Approved – 6/2/92  
97/808 – New store room – Approved – 25/09/97

### **d. Responses to Consultations**

Number of properties consulted: 12

A site notice was also displayed on site

Number of replies received: 3

The letters of objection can be summarised as:

1. Double parking
2. On-street parking causing highway safety problems.
3. Double-parking of cars in the evenings and on weekends.
4. Customer car park not used.
5. Noise pollution.
6. Accident waiting to happen.
7. Loss of privacy.
8. Oil running from car valeting and engine steam cleaning running into storm drains.
9. New customer parking spaces obstruct right of way.

Statutory Consultees:

Pontardawe Town Council – No observations

Head of Engineering and Transport (Highways) – Refusal on highway safety grounds

Head of Engineering and Transport (Drainage) – No objection

## **APPRAISAL**

This is a retrospective planning application for the change of use from a garage to car sales at Western Garage, Swansea Road, Pontardawe.

The application site comprises an irregularly shaped site having a frontage of 73.0m on to Swansea Road and a maximum depth of 17.2m. A detached property is located in the north eastern corner of the site fronting Swansea Road. The canopy that extended over the former petrol forecourt is located 7.0m to the west of the detached property. The remaining area is currently being used for car sales. Residential properties are situated opposite the site.

Members will note from the site history above that there is a convoluted history at this site. The most recent, planning reference P/2006/987 was refused on highway safety and visual amenity grounds. There have not

been any material changes in planning policy since this date. It should be noted that this planning application encompasses a larger site area, namely the land to the south of the show room area which has the dimensions 19.5m by 7.2m. The remaining revisions relate to the provision of customer parking.

This application seeks to retain the use of the ground floor of the detached building formerly used as garage to a car sales show room. The area immediately outside is proposed to be used for customer car parking. The area underneath the existing canopy, which leads to the rear is to be kept clear as it is a right of way, while the area adjacent to this is also to be used for car sales. Further customer car parking is proposed along the southern boundary of the site. Whilst the use of the site has commenced, the defined areas for car sales and customers parking as illustrated on the submitted plans have not yet been implemented.

The main issues for consideration with regard to this application relate to the acceptability of the continued use having regard to planning policies, the impact upon visual and residential amenities and vehicular and pedestrian safety.

Policy EQ15 of the Northern Lliw Valley Local Plan states that “the appearance and environmental quality of the built-up areas of Northern Lliw Valley will be improved by:

1. Applying as high a standard as possible in relation to design and layout of new development”.

In its explanation it goes on to say that “there is a need to apply higher standards of design control. It is important to maintain the scale and character of the built environment, and better standards of design are needed to increase overall unity in the existing street scene.”

Policy T2 of the Northern Lliw Valley Local Plan, identifies that “all new development proposals will be expected to meet the appropriate standards in relation to design and provision of vehicle and pedestrian access, and on site parking provision.”

The explanation highlights that “as a general rule all new developments, including changes of use, will be required to provide operational parking within the curtilage of the property (that is parking and manoeuvring space for service vehicles and employees’ cars). Non-operational parking (for customers, visitors, etc.) may also be required within the

development, but this requirement may be relaxed in a town centre, for example, where adequate public parking is already available.”

Similarly, Policy T1 of the Neath Port Talbot Deposit Draft Unitary Development Plan in respect of highway and pedestrian safety states that a “proposal will only be permitted if it would not create or unacceptably worsen highway safety or congestion on the highway network.”

In relation to the impact on the amenities of neighbouring properties, it is considered that the use of the site for car sales would not overshadow, overlook or be overbearing to any neighbouring properties. Whilst it is acknowledged that the use generates vehicular movements and general disturbance, it is also noted that a busy highway separates it from the nearest neighbouring property and the restricted size of the operation does not cause an unacceptable nuisance to neighbouring residents. It is, therefore considered that the proposal is acceptable with regards to residential amenity.

In respect of visual amenity, while acknowledging that the site benefited from a previous use as a garage, it is considered that due to the intensive nature of the use through the clutter of cars squeezed into a restricted area, along with the associated colourful price stickers and banners, the proposal provides a visually obtrusive form of development on this very prominent site that is out of character with the residential nature of this area and detracts from the visual amenity of the streetscene.

Turning to highway and pedestrian safety, the Head of Engineering and Transport (Highways) recommends refusal on the grounds that the customer car parking area is poorly sited and does nothing to encourage customers, which will lead to indiscriminate on-street parking on Swansea Road. Visibility out of the proposed parking area and access to the adjoining garage will be obstructed to the south west by vehicles for sale which will again be detrimental to the safety and free flow of traffic along Swansea Road. In addition, due to the lack of space within the curtilage of the property it means that when a vehicle has to be moved, vehicles have to be parked on the highway during this period to the detriment of the safe and free flow of traffic along Swansea Road. It is, therefore considered that the proposal would have a significantly adverse impact on highway and pedestrian and is therefore not acceptable on highway grounds.

The letters of objection mainly relate to the impact the proposal has on highway and pedestrian safety. The report has comprehensively addressed

these issues and it is considered that the proposal will compromise highway safety. In respect of noise pollution, it is considered that the proposal will not unduly harm the amenities of neighbouring properties to justify refusal on these grounds. While in relation to oil entering storm drains this would be a matter for the Environment Agency to address.

In conclusion, while it is considered that the proposal will not have an adverse impact on the residential amenities of neighbouring properties, it is considered that due to the restricted nature of the site, the proposal leads to excessive clutter along the frontage of the site to the detriment of the visual amenity of the area. Finally, by virtue of the nature of the use, the proposal will encourage car borne traffic, and due to the poor siting of the customer car park it will lead to on-street parking on Swansea Road. Should customers use the car park there is insufficient visibility to the south west. Furthermore, due to the lack of space within the curtilage of the property, it will result in the shunting of vehicles and the parking of vehicles on the highway to the detriment of highway and pedestrian safety. The proposal would therefore be contrary to Policies T2 and EQ15 of the Northern Lliw Valley Local Plan and Policy T1 of the Neath Port Talbot Deposit Draft Unitary Development Plan. Refusal is recommended.

**RECOMMENDATION: Refusal**

**REASONS:**

(1) The use of the application site for car sales will encourage car borne traffic, and due to the poor siting of the customer car park will encourage on-street parking to the detriment of highway and pedestrian safety, contrary to Policy T2 of the Northern Lliw Valley Local Plan and T1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

(2) The visibility out of the proposed parking is insufficient to the south west and will be detrimental to the safety and free flow of traffic along Swansea Road, contrary to Policy T2 of the Northern Lliw Valley Local Plan and T1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

(3) Due to the restricted size of the site, the proposal will result in increased vehicle manoeuvres and the parking of vehicles on the highway to the detriment of highway and pedestrian safety, contrary to Policy T2 of the Northern Lliw Valley Local Plan and T1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

(4) By virtue of the restricted nature of the site, the proposal will result in excessive clutter along the frontage of the site to detriment of the visual amenity of the streetscene, contrary to Policy EQ15 of the Northern Lliw Valley Local Plan.

<b>ITEM 4. 21</b>	
<b>APPLICATION NO: P/2006/1497</b>	<b>DATE: 12/10/2006</b>
<b>PROPOSAL:</b>	<b>TWO STOREY DWELLINGHOUSE</b>
<b>LOCATION:</b>	<b>PLOT 1, LAND ADJACENT TO :-, 7 LABURNUM AVENUE, BAGLAN, PORT TALBOT</b>
<b>APPLICANT:</b>	<b>STEVEN HURLEY</b>
<b>TYPE:</b>	<b>Full Plans</b>
<b>WARD:</b>	<b>Baglan</b>

## **BACKGROUND INFORMATION**

### **a. Structure/Local Plan Policies**

Port Talbot Local Plan:  
R20-Infill dwellings and extensions.  
T11-Car Parking

Neath Port Talbot Unitary Development Plan:  
GC1-General Considerations.  
T1-Location, Layout and accessibility of new proposals  
T10-Parking.  
H3-Infill and Windfall Development.

### **b. Other Policies**

None.

### **c. Relevant Planning History**

06/1059 – two storey dwelling house – Refused 19/9/06

### **d. Responses to Consultations**

Number of properties consulted: 4

Number of replies received: 6

These objections can be summarised as follows:

- (1) The proposed dwelling would result in the loss of view of Laburnum Avenue and on towards the sea at Aberavon and



loss of view from a porch and a bedroom up the avenue towards the woods.

- (2) Concern about noise and disturbance caused by the building works.
- (3) The proposal would spoil the look of the avenue.
- (4) Parking is already difficult in the area, another dwelling would only add to the existing problem.

Statutory Consultees:

Head of Engineering and Transport (Highways): No Objection, subject to conditions.

Environment Agency Wales: No objection.

Head of Engineering and Transport (Drainage): No objection subject to conditions.

Dwr Cymru Welsh Water- No objection, subject to conditions.

## **APPRAISAL**

Full planning permission is sought for the erection of a two storey detached dwelling on land to the side of number 7 Laburnum Avenue.

Members should note that planning permission was refused in September for a two storey dwellinghouse on the grounds of its impact upon the character of the area and due to the insufficient provision of off street parking. This application has been submitted with the aim of addressing these reasons for refusal.

The application site occupies a prominent location on the junction between Laburnum Avenue and Lilac Grove. The proposed detached dwelling will be sited in line with the building line delineated by Lilac Grove, but fronting Laburnum Avenue. Whilst projecting 1m forward of the building line of the adjacent property, No 5 Laburnum Avenue. The area of land is located to the side of number 7, and appears to have been enclosed separately, however part of the original wall between the rear garden areas has been removed. The side wall to Laburnum Avenue has also been removed and a very rough hard standing area has been

constructed, but there is no dropped kerb access to this area.

The proposed dwelling would have a width of 8m and a depth of 5.5m. It will have a ridged roof rising to a height of 7.4m to the ridge. It will be constructed from face brick and roof tiles and will be similar in overall proportions to existing buildings in the surrounding area, but will be a detached dwelling, where the predominant style is that of semi-detached.

Off street car parking for the proposed dwelling is located adjacent to No 5 Laburnum Avenue, and it is proposed to provide off street car parking for the donor property fronting the existing dwelling, accessed off Lilac Grove.

The main issues to be considered in the determination of the application are the impact upon the residential amenity of the neighbouring properties, the impact upon the character and appearance of the surrounding area and the impact upon the highway safety of the existing road network.

The closest adjacent dwelling would be the host property which has a side entrance and two first floor side facing windows. The proposed dwelling has a rear access and first floor landing window facing this property, within 1.5m. The closest dwelling to the side would be number 5 Laburnum Avenue, which flanks onto the application site. Number 5 has no side facing windows within this elevation. As such the proposed dwelling would not overlook the adjacent properties, subject to conditions. The application site slopes down from Lilac Grove, which would mean that the side of the dwelling would have to be built up off the sloping site. This would increase the height of this elevation of the dwelling. However the dwelling would be located 9.7m from the shared boundary with number 5, 0.8m nearer than the existing property at number 7. It is therefore considered that the proposed dwelling could be accommodated on site without adversely affecting the amenities of neighbouring residents.

The proposed dwelling would be sited on land at the junction of two roads, and whilst it is in line with the existing houses along Lilac Grove, it would stand 1m forward of the adjacent dwellings, numbers 3 and 5 Laburnum Avenue and 1.5m forwards of the line between the corner of number 5 and number 11 Laburnum Avenue. The proposed development would therefore project into the current pattern of development along Laburnum Avenue, forming a cramped and obtrusive feature to the detriment of the character and appearance of the surrounding area. This is

especially apparent due to the prominent location of the proposed dwelling to this road junction.

The proposed dwelling has the design of a new build house. It is shown to be constructed of brick, while the majority of the dwellings in the immediate area are rendered. As such the external appearance of the proposed dwelling would be at odds with the existing dwellings within the surrounding area. However a condition could be imposed to control the proposed materials to ensure they are in keeping with the finishes evident on the surrounding properties.

With respect to the impact of the development upon the highway safety of the existing road network the Head of Engineering and Transport, Highway Section, offers no objection to the proposed development, subject to the creation of off street car parking for both the existing and proposed dwelling.

Two letters of objection have been received from neighbouring residents expressing concern in relation to a number of points. Under planning regulations there is no protection of long distance views from a dwelling, only to prevent overbearing. As assessed in the above appraisal, the proposed development would not have an unacceptable overbearing impact upon the existing dwellings. Excessive noise and disturbance from development works is controlled by Environmental Health Regulations. And finally, the issues of additional on-street parking and the proposal spoiling the look of the Avenue are addressed in the above appraisal.

In conclusion, it is considered that whilst it would be possible to construct the dwelling on the site without having an adverse impact upon the residential amenities of the residents within the neighbouring dwellings, or highway safety, the proposed dwelling would project into the street scene, forming a cramped and obtrusive feature at this prominent road junction, to the detriment of the character and appearance of the surrounding area, which is sufficient reason to justify refusal of the proposed development. It is therefore considered that the proposal is contrary to the criteria contained within Policy R20 of the Port Talbot Local Plan and Policies GC1 and H3 of the Neath Port Talbot Deposit Draft Unitary Development Plan

**RECOMMENDATION:      Refusal**

**REASONS:**

(1) The proposed development by reason of its scale and prominent location at a highway junction would project outside of the pattern of the existing pattern of development in the existing street scene, forming a cramped and obtrusive feature to the detriment of the character and appearance of the surrounding area. As such the proposed development would be contrary to Policy R20 of the Port Talbot Local Plan, and Policies H3 & GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

<b>ITEM 4. 22</b>	
<b>APPLICATION NO: P/2006/1500</b>	<b>DATE: 18/10/2006</b>
<b>PROPOSAL:</b>	<b>OUTLINE PLANNING APPLICATION FOR ONE DETACHED DWELLING</b>
<b>LOCATION:</b>	<b>LAND AT REAR, 1 MIN Y COED, GLYNNEATH, NEATH NEATH PORT TALBOTS A11 5RY</b>
<b>APPLICANT:</b>	<b>MR LEE MORRIS</b>
<b>TYPE:</b>	<b>Outline</b>
<b>WARD:</b>	<b>Glynneath</b>

### **BACKGROUND INFORMATION**

#### **a. Structure/Local Plan Policies**

Borough of Neath Local Plan  
H8- Housing Design.  
E67 – The Design of New Development  
T24 - Car Parking  
T26 – Highway Safety  
H3 – Infill and rounding off

Neath Port Talbot Deposit Draft Unitary Development Plan.  
GC1- General Considerations.  
ENV11 – Proposals in flood risk  
H3- Infill and windfall development.  
T1- Location, layout and accessibility of new proposals.  
T10- Parking.

#### **b. Other Policies**

TAN15 Development and Flood Risk (July 2004)

#### **c. Relevant Planning History**

None

#### **d. Responses to Consultations**

Number of properties consulted: 8

A site notice was also displayed on site

Number of replies received: 1

The letter of objection can be summarised as:

1. Siting of windows and loss of privacy

Statutory Consultees:

Glynneath Town Council – No reply, therefore no observations to make

Head of Engineering and Transport (Drainage)- No objection

Head of Engineering and Transport (Highways)- Refusal on grounds that necessary widening works to Addoldy Road cannot be achieved.

Head of Street Care Services (Aboriginal Officer) – No objections

Dwr Cymru Welsh Water- No reply

Environment Agency- advises that the site lies within Zone B as defined by the development advice maps referred to under TAN 15 Development and Flood Risk (July 2004) and request site level survey and without this information request that the application be refused.

Western Power- Apparatus not affected

Wales and West Utilities – No reply

## **APPRAISAL**

This is an application for outline planning permission for a residential dwelling with all matters relating to siting, design, external appearance, means of access and landscaping reserved for subsequent approval.

The site comprises land forming part of the rear garden of 1 Min-y-Coed, Glynneath. The site has a frontage of 15.0m on to Addoldy Road and a maximum depth of 13.5m. A 1.8m high fence adjacent to a gate runs along the frontage of the site. The site is level with a watercourse running some 2.0m off the western boundary. To the south west of the site is the neighbouring property No.2 Maes-y-Pergwm, whose rear garden abuts

the application site. The rear elevation of the doner property is some 38.0m to the west.

The main issues to be considered in the determination of the application are the principle of residential development on the application site, impact upon the residential amenity of the adjacent dwellings, impact on visual amenity, the impact upon the highway safety of the existing road network, and flood risk.

In terms of policy, Policy H3 of the Neath Local Plan and Policy H3 of the Neath Port Talbot Deposit Draft Unitary Development Plan presumes in favour of infill development within settlement limits subject to the satisfaction of a number of criteria.

From inspection of the site it is considered that the site is limited in size having a frontage of 15.0m and a depth of 9.0m at its southern boundary, increasing to 13.5m at its northern boundary. The surrounding area is characterised by two-storey, semi-detached dwellings set within generous sized plots. In light of the restrictive nature of the site, it is considered that the proposal does not follow the pattern and scale of the existing style of development, and as such the proposal would lead to a cramped form of development that would not be in keeping with the existing street scene and one that would have a detrimental impact on the amenities of the neighbouring properties by virtue of unacceptable overbearance and potential loss of privacy.

Turning to highway safety, the Head of Engineering and Transport (Highway) recommend refusal on the grounds that Addoldy Road fronting the proposed site has a narrow carriageway with no footways. In order to improve Addoldy Road to a standard acceptable to serve new development will involve a carriageway widening to a minimum width of 5.5m and 2m wide footway. Refusal is therefore recommended on grounds that Addoldy Road is inadequate and unsuitable to allow further frontage development without improvements which would have to be carried out over land which does not form part of the highway and appears to be outside of the applicant's control. In light of the aforementioned comments it is considered that the proposal would compromise highway safety.

Notwithstanding the above, Policy ENV11 of the Neath Port Talbot Deposit Draft Unitary Development Plan presumes against permission being granted for residential development in areas at high risk from flooding. Following the publication of TAN 15 (Development and Flood

Risk) the site lies within zone B. The Environment Agency request that the applicant submit a site level survey to ordnance datum and in the absence of this information would recommend that the application be refused. In this particular case and in light of the restrictive nature of the site and the highway issues, it was considered unnecessary to expect the applicant to go to the expense of providing a site level survey.

With regards the letter of objection, it should be noted that application is only in outline and details relating to siting and design are reserved for subsequent approval. Nevertheless, it is considered that the provision of a dwelling at this location may lead to a loss of privacy of neighbouring properties.

In conclusion, it is considered that the proposed dwelling would result in a cramped form of development, to the detriment of the amenities of the neighbouring properties. In addition, it is not possible to provide the necessary carriageway arrangements to serve the new development and without these improvements it would have a detrimental impact on highway and pedestrian safety. Finally, in the absence of a site level survey, the site may be liable to flood risk. The proposal would therefore be contrary to Policies H8, E67 and T26 of the Borough of Neath Local Plan and Policies T1, GC1 and ENV11 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

**RECOMMENDATION:        Refusal**

**REASONS;**

(1) By virtue of the restrictive size the site, the proposed residential development would lead to a cramped form of overdevelopment, which would detrimentally affect the character and patten of development within the surrounding area in addition to the amenities of neighbouring properties, by virtue of unacceptable overbearance contrary to Policies H8 and E67 of the Borough of Neath Local Plan, and Policy GC1 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

(2) Addoldy Road is insufficient in width to serve the new development, the traffic generated from which would impact to an unacceptable extent upon the free flow of traffic, contrary to Policy T26 of the Borough of Neath Local Plan, and Policies GC1, H3 and T1 of the Neath Port Talbot Deposit Draft Unitary Development Plan



(3) The application site is located within a zone B as identified in TAN15 Development and Flood Risk (July 2004). The applicant has not provided a site level survey and in the absence of this information, the flood risk cannot be identified. The proposal is therefore contrary to the provisions of Policy ENV11 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

## 5. TPO APPLICATIONS RECOMMENDED FOR REFUSAL

<b>ITEM 5.1</b>	
<b>APPLICATION NO: P/2006/1449</b>	<b>DATE: 04/10/2006</b>
<b>PROPOSAL:</b>	<b>FELLING OF THREE SYCAMORE TREES</b>
<b>LOCATION:</b>	<b>LAND TO REAR OF, 7 SUNNYLAND CRESCENT, SKEWEN, NEATH NEATH PORT TALBOTS A106TY</b>
<b>APPLICANT:</b>	<b>VANESSA THOMAS</b>
<b>TYPE:</b>	<b>App under TPO</b>
<b>WARD:</b>	<b>Coedffranc Nort</b>

### **BACKGROUND INFORMATION**

#### **a) Structure/Local Plan Policies**

Borough of Neath Local Plan  
E63 Conservation of woodlands and trees.

Neath Port Talbot Draft Unitary Development Plan.  
ENV30 Environmental Quality and Amenity.

#### **b) Other Policies**

None.

#### **c) Relevant Planning History**

None.

#### **d) Responses to Consultations**

Number of Properties Consulted: 8 (and site notice displayed).

Number of replies received: 0

Statutory Consultees:

Coedffranc Community Council: No Objection.

Head of Streetcare (Arboricultural Officer): Objection.

### **APPRAISAL**

This application seeks permission to fell three sycamore trees protected by Tree Preservation Order T4, on land between Sunnyland Crescent and Cwrt Y Clafdy, Skewen.

The trees are proposed to be felled, as there are concerns about the trees safety, and loss of light. The Authority's Arboricultural Officer visited the site on the 12<sup>th</sup> October, 2006 and noted that the three sycamore trees at this location appear to be in good health and condition, with no serious areas of decay or structural weakness. He also noted that the trees are not overhanging the rear garden of Number 7, and form a visually important part of this small woodland area. His recommendation is that the trees should not be felled.

In response to Arboricultural Officers comments, it is considered that the unjustified felling of the trees would be detrimental to the visual amenity of the area. It is therefore recommended that the application be refused.

**RECOMMENDATION:      Refusal**

### **REASONS:**

The unjustified felling of Three healthy Sycomore Trees which form an important part of a small woodland area, would be detrimental to the visual amenity of the area. Thus the proposal would be contrary to Policy E63 of the Borough of Neath Local Plan, and Policy ENV30 of the Neath Port Talbot Deposit Draft Unitary Development Plan.

**6. ENPT/5545: PORCH TO THE FRONT OF 14 LEWIS STREET, PONTRHYDYFEN**

1. A conservatory type porch has been constructed to the front elevation of 14 Lewis Street, Pontrhydyfen.
2. The matter was brought to the attention of the Planning Department by the owner of the neighbouring residential dwelling who is concerned about the impact upon his residential amenity.
3. The property itself is set back from the main highway through Pontrhydyfen. It is a mid-terrace dwelling which is accessed via a tarmacadamed roadway that runs along the frontage of the properties and is situated at a higher level than the main roadway through Pontrhydyfen.
4. The porch is constructed of White uPVC materials and is glazed on all sides. It has a floor area of 2.85 square metres and a mono-pitched roof of 2.5 metres at its highest point, sloping downwards to 2.1 metres.

It would therefore be within the Permitted Development criteria in terms of its floor area and height but as it is within 2 metres a highway, planning permission would have been required in respect of its construction.

5. In terms of its context within the Development Plan, Policy H8 of The Borough of Neath Local Plan specifies that:-

“Proposals to create or extend dwellings should not have an adverse effect on the residents of properties which are adjacent, or in the vicinity, by reason of:-

- Scale
- Design .....

The design of household extensions should pay particular attention to the effect on adjacent properties through scale and detailed design and extensions should generally be sympathetic in design.

- 6.. The Neath-Port Talbot Design Guide to Household Extensions advocates as follows:-

“Porches, like any other extensions, should reflect the character of the existing building. It is important that any porch is kept in scale with the original house, in terms of size and general proportions, in order that it should not appear too dominant. Generally, porches should be constructed in materials to match the existing dwelling.

7. The porch at 14 Lewis Street does not detract unduly from the visual amenity of the street scene by virtue of its scale and size and is in keeping with the scale of similar front porches on nearby properties.
8. There are 2 nearby properties within the same terrace that have porches to their frontages. These have been constructed in materials that match exactly the exterior of their dwellings.

The porch at 14 Lewis Street has been constructed in white uPVC materials that gives the visual appearance of a conservatory to the front of the property. It is therefore out of keeping with the materials of the main dwellinghouse and also differs in terms of its character and appearance when compared with porches on the frontages of neighbouring dwellings. For this reason it is considered to be contrary to Policy H8 of the Borough of Neath Local Plan, and as such is unacceptable.

9. In light of the above, it is therefore **RECOMMENDED** that authorisation be granted for the taking of Enforcement Action in respect of an unauthorised front porch at 14 Lewis Street, Pontrhydyfen.
10. That the steps required by the Enforcement Notice be as follows:-
- i) The removal of the porch to the frontage of 14 Lewis Street, Pontrhydyfen.

That the timescale for compliance be 2 calendar months beginning with the date on which the notice takes effect.

That such action be in the interests of visual amenity as

the front porch is visually out of keeping with the dwelling and those of its' neighbours and is therefore contrary to Policy H8 of the Borough of Neath Local Plan.

**FOR DECISION**

Background Papers: Enforcement File ENPT/5545

Team Leader: Mr. David Watkins

Ward Area: Peleenna.

**7. ENPT 5517 – REQUEST FOR THE ISSUING OF AN ENFORCEMENT NOTICE - REMOVAL OF A WOODEN STRUCTURE, FORMER ST. JOHN’S CHURCH, DUFFRYN ROAD, ALLTWEN, PONTARDAWE.**

1. A number of complaints have been received by the department regarding the renovation of the former St. John’s Church, Dyffryn Road, Alltwen. In particular concerns have been received with regard to the erection of a wooden structure fronting the property.
2. A visit on the 20<sup>th</sup> September confirmed that a wooden structure had been erected on site without planning permission.
3. The wooden structure presents a visually incongruous feature, which when viewed from the public highway is to the detriment of the visual amenity of the neighbourhood, and is not in keeping with the character and appearance of the streetscene.

**RECOMMENDATION**

It is recommended that an enforcement notice is issued against the owner/developer of the former St. John’s Church Dyffryn Road, Alltwen, Swansea in relation to the removal of the wooden structure fronting the property.

The steps required by the Enforcement Notice are as follows:

- a) To remove the wooden structure fronting the property (photograph attached for ease of reference)
- b) That the period of compliance with the requirements of the Enforcement Notice be 28 days from the date on which the notice takes effect.

**REASON FOR ISSUING THE NOTICE**

That such a notice is issued in the interest of visual amenity of the neighbourhood and streetscene due to the wooden structure forming a visually incongruous feature.

**CONTACT OFFICER:**

David Watkins, 01639 764225  
[d.wakins@npt.gov.uk](mailto:d.wakins@npt.gov.uk)

**BACKGROUND PAPERS:**

Enforcement File Reference ENPT  
5517

**WARD:**

Alltwen





## SECTION B – MATTERS FOR INFORMATION

### 6. DELEGATED APPLICATIONS DETERMINED BETWEEN 24<sup>th</sup> OCTOBER AND 13<sup>TH</sup> NOVEMBER 2006

1	App No. P/2005/623	Type Discharge of Cond.
Proposal	AGREE CONDITION 7 OF PLANNING APPLICATION P/2004/158 IN RESPECT OF 30 MPH SCHEME.	
Location	LAND AT, VARTEG FAWR, BRYN, PORT TALBOT SA132SG	
Decision	Approval	
Ward	Bryn & Cwmavon	

2	App No. P/2005/624	Type Discharge of Cond.
Proposal	AGREE CONDITION 11 OF PLANNING APPLICATION P/04/158 IN RESPECT OF A ROAD SIGNAGE SCHEME	
Location	LAND AT :-, VARTEG FAWR, BRYN, PORT TALBOT SA132SG	
Decision	Approval with Conditions	
Ward	Bryn & Cwmavon	

3	App No. P/2005/627	Type Discharge of Cond.
Proposal	AGREE CONDITION 15 OF PLANNING APPLICATION P/04/158 IN RESPECT OF THE FARTEG FAWR ROAD IMPROVEMENT SCHEME.	
Location	LAND AT :-, VARTEG FAWR, BRYN, PORT TALBOT SA132SG	
Decision	Approval	
Ward	Bryn & Cwmavon	

4	App No. P/2006/484	Type Householder
Proposal	REVISED OFF STREET PARKING AND RETAINING WORKS / MEANS OF ENCLOSURE (Please note amended description)	
Location	4 WILDEN AVENUE, MARGAM, PORT TALBOT SA132HS	
Decision	Approval with Conditions	
Ward	Taibach	

5	App No. P/2006/547	Type Householder
Proposal	SINGLE STOREY REAR EXTENSION (AMENDED PLANS RECEIVED 12/9/06)	
Location	46 BRYNHEULOG ROAD, CYMMER, PORT TALBOT SA133RR	
Decision	Approval with Conditions	
Ward	Cymmer	

6	App No. P/2006/747	Type Full Plans
Proposal	SATELLITE DISH AS ERECTED ON SITE	
Location	LADBROKES, 39 HERBERT STREET, PONTARDAWE, SWANSEA SA8 4EB	
Decision	Approval	
Ward	Pontardawe	

7	App No. P/2006/775	Type Discharge of Cond.
Proposal	AGREE CONDITION 6 OF PLANNING APPLICATION 05/1472 REGARDING DRAINAGE	
Location	LAND AT, MOOR ROAD, BAGLAN INDUSTRIAL PARK, PORT TALBOT	
Decision	Approval	
Ward	Aberavon	

8	App No. P/2006/992	Type Householder
Proposal	EXTENSION TO DWELLING	
Location	GREENACRE BUNGALOW, CRYNALLT ROAD, CIMLA, NEATH SA113RL	
Decision	Approval with Conditions	
Ward	Cimla	

9	App No. P/2006/1055	Type Advertisement
Proposal	ADVERTISEMENT APPLICATION FOR VARIOUS SIGNS AROUND EXISTING TESCO STORE AND GARAGE AREA. (amended plans received 27/9/06)	
Location	TESCO STORE AND GARAGE, PRIOR STREET, PORT TALBOT SA131YA	
Decision	Approval with Conditions	
Ward	Port Talbot	

10	App No. P/2006/1066	Type Full Plans
Proposal	ERECTION OF A DWELLING HOUSE	
Location	PLOT 23, FOREST LODGE LANE, YNYSYGWAS, PORT TALBOT SA129AS	
Decision	Approval with Conditions	
Ward	Bryn & Cwmavon	

11	App No. P/2006/1109	Type Householder
Proposal	PORCH, VEHICLE ACCESS AND MEANS OF ENCLOSURE	
Location	2 HEOL YR ORSEDD, TAIBACH, PORT TALBOT SA132HL	
Decision	Approval with Conditions	
Ward	Taibach	

12	App No. P/2006/1117	Type Full Plans
Proposal	CHANGE OF USE OF GROUND FLOOR FROM ADVICE CENTRE TO CAFÉ AND VEGETABLE SHOP (INCLUDING SINGLE STOREY REAR EXTENSION) AND SHARED ACCOMMODATION FOR TWO PEOPLE ON THE FIRST FLOOR (AMENDED PLANS 6/10/06)	
Location	37 COMMERCIAL ROAD, TAIBACH, PORT TALBOT SA131LN	
Decision	Approval with Conditions	
Ward	Taibach	

13	App No. P/2006/1135	Type Householder
Proposal	TWO STOREY REAR AND SIDE EXTENSION	
Location	20 SCHOOL ROAD, CRYNANT, NEATH SA108NS	
Decision	Approval with Conditions	
Ward	Crynant	

14	App No. P/2006/1139	Type Householder
Proposal	FRONT PORCH AND SINGLE STOREY REAR EXTENSION (amended plans received 4/9/06)	
Location	215 MARGAM ROAD, TAIBACH, PORT TALBOT SA132AB	
Decision	Approval with Conditions	
Ward	Taibach	

15	App No. P/2006/1141	Type Change of Use
Proposal	RETENTION OF FIRST FLOOR FLAT AND CHANGE OF USE OF GROUND FLOOR TO A2 OFFICES ALTERATIONS TO REAR ELEVATION AND PROVISION OF RAMPED ACCESS, AND USE OF REAR YARD FOR PARKING..	
Location	121A, PANTYRHEOL, NEATH SA112HH	
Decision	Approval with Conditions	
Ward	Neath East	

16	App No. P/2006/1144	Type Discharge of Cond.
Proposal	AGREE CONDITION 22 OF PLANNING APPLICATION 04/35 REGARDING WATER VOLE SURVEY	
Location	LONGLANDS LANE, MARGAM, PORT TALBOT SA132SU	
Decision	Approval with Conditions	
Ward	Margam	

17	App No. P/2006/1153	Type Reserved Matters
Proposal	NEW DWELLING	
Location	PLOT 5, FORESTERS HOUSE DEVELOPMENT, BROMBIL ACCESS ROAD, MARGAM, PORT TALBOT SA132SR	
Decision	Approval with Conditions	
Ward	Margam	

18	App No. P/2006/1156	Type Discharge of Cond.
Proposal	DETAILS UNDER CONDITIONS 4 & 7 (CAR PARK/ACCESS) OF CONSENT P2004/1476	
Location	ABERDULAIS FALLS, ABERDULAIS, NEATH SA108EU	
Decision	Approval	
Ward	Aberdulais	

19	App No. P/2006/1165	Type Discharge of Cond.
Proposal	DETAILS UNDER CONDITION 2 (MATERIALS) OF PREVIOUS PLANNING CONSENT P2006/0200	
Location	FORMER TALK OF THE ABBEY, 44 WINDSOR ROAD, NEATH SA111LU	
Decision	Approval with Conditions	
Ward	Neath East	

20	App No. P/2006/1176	Type Advertisement
Proposal	ERECTION OF TWO STORE SIGNS AND ONE POST MOUNTED SIGN	
Location	32-38 COMMERCIAL ROAD, TAIBACH, PORT TALBOT SA131LG	
Decision	Approval with Conditions	
Ward	Taibach	

21	App No. P/2006/1184	Type Householder
Proposal	REAR FIRST FLOOR REAR EXTENSION TO DWELLING	
Location	1 WELLFIELD PLACE, GLYNNEATH, NEATH SA115ER	
Decision	Approval with Conditions	
Ward	Glynneath	

22	App No. P/2006/1204	Type Householder
Proposal	SINGLE STOREY REAR AND SIDE EXTENSION	
Location	55 ALBION ROAD, BAGLAN, PORT TALBOT SA128DD	
Decision	Approval with Conditions	
Ward	Baglan	

23	App No. P/2006/1207	Type Householder
Proposal	SINGLE STOREY REAR EXTENSION AND DECKING	
Location	4 MOORLANDS, DYFFRYN CELLWEN, NEATH SA109HU	
Decision	Approval with Conditions	
Ward	Onllwyn	

24	App No. P/2006/1210	Type Discharge of Cond.
Proposal	DETAILS RELATING TO CONDITION 3 (SURFACE WATER) OF PREVIOUS PLANNING CONSENT P2005/0087	
Location	PLOT 3 OFF, BRYNDULAIS ROW, SEVEN SISTERS, NEATH SA109DT	
Decision	Approval	
Ward	Seven Sisters	

25	App No. P/2006/1211	Type Discharge of Cond.
Proposal	DETAILS RELATING TO CONDITION 7 (MEANS OF ENCLOSURE) OF PREVIOUS PLANNING CONSENT P2005/0087	
Location	PLOT 3 OFF, BRYNDULAIS ROW, SEVEN SISTERS, NEATH SA109DT	
Decision	Approval	
Ward	Seven Sisters	

26	App No. P/2006/1229	Type Householder
Proposal	PROPOSED TWO STOREY SIDE EXTENSION AND FRONT CANOPY	
Location	44 WERN ROAD, MARGAM, PORT TALBOT SA132BA	
Decision	Approval with Conditions	
Ward	Taibach	

27	App No. P/2006/1232	Type Householder
Proposal	SINGLE STOREY SIDE EXTENSION	
Location	1 PEN Y WERN, CYMMER, PORT TALBOT SA133PP	
Decision	Approval	
Ward	Cymmer	

28	App No. P/2006/1233	Type Householder
Proposal	SINGLE STOREY SIDE EXTENSION CREATING SHOWER ROOM AND BEDROOM	
Location	34 GWERNANT, CWMLLYNFELL, SWANSEA SA9 2FU	
Decision	Approval with Conditions	
Ward	Cwmllynfell	

29	App No. P/2006/1234	Type Householder
Proposal	SINGLE STOREY REAR BEDROOM AND SHOWER ROOM EXTENSION	
Location	84 HERBERT STREET, PONTARDAWE, SWANSEA SA8 4ED	
Decision	Approval with Conditions	
Ward	Pontardawe	

30	App No. P/2006/1255	Type Full Plans
Proposal	CONVERSION AND ALTERATIONS/ADDITIONS TO ATTACHED BARN TO PROVIDE RESIDENTIAL ACCOMODATION	
Location	GLYNFELIN FARM, LONGFORD, NEATH SA107AX	
Decision	Application Invalid	
Ward	Dyffryn	

31	App No. P/2006/1257	Type Discharge of Cond.
Proposal	AGREE CONDITIONS 3 & 5 OF PLANNING APPLICATION 05/1011 REGARDING PROPOSED ACCESS AND DRIVE (ADDITIONAL INFORMATION RECEIVED 11/10/06)	
Location	1 CAERHENDY, PORT TALBOT SA132HA	
Decision	Approval with Conditions	
Ward	Port Talbot	

32	App No. P/2006/1272	Type LawfulDev.Cert-Exist
Proposal	CERTIFICATE OF LAWFULNESS FOR USE AS A DWELLING	
Location	FERRYBOAT HOUSE, EARLESWOOD, JERSEY MARINE, NEATH SA106NG	
Decision	Issue Lawful Dev.Cert.	
Ward	Coedffranc West	

33	App No. P/2006/1275	Type Discharge of Cond.
Proposal	AGREE CONDITION 8 OF PLANNING APPLICATION 06/200 REGARDING ACCESS TO BASEMENT PARKING	
Location	FORMER TALK OF THE ABBEY, 44 WINDSOR ROAD, NEATH SA111LU	
Decision	Approval	
Ward	Neath East	

34	App No. P/2006/1276	Type Discharge of Cond.
Proposal	AGREE CONDITION 18 OF PLANNING APPLICATION 05/659 REGARDING ARCHAEOLOGICAL BUILDING SURVEY	
Location	LAND AT :- (FORMERLY ALL SAINTS CHURCH), WOODLAND ROAD, SKEWEN, NEATH SA106SS	
Decision	Approval	
Ward	Coedffranc Nort	

35	App No. P/2006/1279	Type Full Plans
Proposal	SINGLE STOREY REAR EXTENSION	
Location	86 WINDSOR ROAD, NEATH SA111NR	
Decision	Approval with Conditions	
Ward	Neath East	

36	App No. P/2006/1280	Type Discharge of Cond.
Proposal	AGREE CONDITION 3 OF PLANNING APPLICATION 04/35 REGARDING MEANS OF ENCLOSURE	
Location	LONGLANDS LANE, MARGAM, PORT TALBOT SA132SU	
Decision	Approval with Conditions	
Ward	Margam	

37	App No. P/2006/1281	Type Discharge of Cond.
Proposal	AGREE CONDITION 5 OF PLANNING APPLICATION 04/35 REGARDING ACCESS POINT	
Location	LONGLANDS LANE, MARGAM, PORT TALBOT SA132SU	
Decision	Approval with Conditions	
Ward	Margam	

38	App No. P/2006/1282	Type Discharge of Cond.
Proposal	AGREE CONDITION 32 OF PLANNING APPLICATION 04/35 REGARDING ARCHAEOLOGICAL WATCHING BRIEF	
Location	LONGLANDS LANE, MARGAM, PORT TALBOT SA132SU	
Decision	Approval with Conditions	
Ward	Margam	

39	App No. P/2006/1283	Type Discharge of Cond
Proposal	AGREE CONDITION 2 OF PLANNING APPLICATION 06/650 REGARDING MATERIALS	
Location	LAND AT, TONMAWR ROAD, TONMAWR, PORT TALBOT	
Decision	Approval	
Ward	Pelenna	



40	App No. P/2006/1284	Type Householder
Proposal	FIRST FLOOR SIDE EXTENSION	
Location	45 WAUN GRON, PONTARDAWE, SWANSEA SA8 4LW	
Decision	Approval with Conditions	
Ward	Pontardawe	

41	App No. P/2006/1287	Type LawfulDev.Cert-Prop.
Proposal	CERTIFICATE OF LAWFULLNESS FOR A SINGLE STOREY SIDE EXTENSION (PROPOSED)	
Location	5 FAIRFIELD, ABERAVON, PORT TALBOT SA126YD	
Decision	Issue Lawful Dev.Cert.	
Ward	Aberavon	

42	App No. P/2006/1290	Type Householder
Proposal	SINGLE STOREY KITCHEN EXTENSION TO SIDE	
Location	PENSCYNOR COURT, PENSCYNOR, CILFREW, NEATH NEATH PORT TALBOTS A10 8LF	
Decision	Approval with Conditions	
Ward	Aberdulais	

43	App No. P/2006/1302	Type Householder
Proposal	DETACHED GARAGE TO REAR	
Location	3 CROSS STREET, VELINDRE, PORT TALBOT NEATH PORT TALBOTS A13 1AZ	
Decision	Approval with Conditions	
Ward	Port Talbot	

44	App No. P/2006/1304	Type Householder
Proposal	SINGLE STOREY REAR EXTENSION	
Location	3 DARWIN ROAD, SANDFIELDS, PORT TALBOT NEATH PORT TALBOTS A12 6BT	
Decision	Approval with Conditions	
Ward	Sandfields East	

45	App No. P/2006/1311	Type Householder
Proposal	CONSERVATORY TO REAR	
Location	WOODLAND VIEW, GLAN YR AFON ROAD, MARGAM, PORT TALBOT NEATH PORT TALBOT C F33 6RA	
Decision	Approval with Conditions	
Ward	Margam	

46	App No. P/2006/1312	Type Householder
Proposal	SINGLE STOREY REAR EXTENSION	
Location	3 GEIFR ROAD, TAIBACH, PORT TALBOT NEATH PORT TALBOTS A13 2BE	
Decision	Approval with Conditions	
Ward	Taibach	

47	App No. P/2006/1314	Type Advertisement
Proposal	SIGNAGE	
Location	ENFYS FOUNDATION, ELBA CRESCENT, CRYMLYN BURROWS, SWANSEA NEATH PORT TALBOTS A1 8QJ	
Decision	Approval with Conditions	
Ward	Coedffranc West	

48	App No. P/2006/1317	Type Householder
Proposal	PART TWO STOREY SIDE EXTENSION AND FIRST FLOOR SIDE EXTENSION	
Location	3 MAIN ROAD, ABERDULAIS, NEATH NEATH PORT TALBOTS A10 8HG	
Decision	Approval with Conditions	
Ward	Aberdulais	

49	App No. P/2006/1318	Type Householder
Proposal	DETACHED REAR GARAGE	
Location	39 PARC WERN, SKEWEN, NEATH NEATH PORT TALBOTS A10 6AZ	
Decision	Approval with Conditions	
Ward	Coedffranc Cent	

50	App No. P/2006/1320	Type Householder
Proposal	DETACHED REAR GARAGE	
Location	21 ALBION ROAD, BAGLAN, PORT TALBOT NEATH PORT TALBOTS A12 8BY	
Decision	Approval with Conditions	
Ward	Baglan	

51	App No. P/2006/1322	Type Householder
Proposal	SINGLE STOREY BEDROOM EXTENSION AT SIDE	
Location	7 BENEDICT CLOSE, COURT HERBERT, NEATH NEATH PORT TALBOTS A10 7JA	
Decision	Approval with Conditions	
Ward	Dyffryn	

52	App No. P/2006/1329	Type Householder
Proposal	SINGLE STOREY REAR EXTENSION	
Location	43 PENTWYN BAGLAN ROAD, BAGLAN, PORT TALBOT NEATH PORT TALBOTS A12 8EA	
Decision	Approval with Conditions	
Ward	Baglan	

53	App No. P/2006/1333	Type Reserved Matters
Proposal	NEW DWELLING	
Location	LAND ADJACENT TO, 98 BRYNAU WOOD, CIMLA, NEATH NEATH PORT TALBOTS A11 3YQ	
Decision	Approval with Conditions	
Ward	Cimla	

54	App No. P/2006/1342	Type Householder
Proposal	TWO STOREY REAR EXTENSION	
Location	5A STATION ROAD, CRYNANT, NEATH NEATH PORT TALBOTS A10 8NW	
Decision	Approval with Conditions	
Ward	Crynant	

55	App No. P/2006/1344	Type Lawful Dev. Cert- Prop.
Proposal	CERTIFICATE OF LAWFULNESS FOR A PROPOSED SINGLE STOREY REAR EXTENSION	
Location	26 WESTBOURNE ROAD, NEATH NEATH PORT TALBOTS A11 2EP	
Decision	Approval	
Ward	Neath East	

56	App No. P/2006/1345	Type Full Plans
Proposal	PROPOSED GARAGE TO REAR OF DWELLING	
Location	47 PARK STREET, TONNA, NEATH NEATH PORT TALBOTS A11 3JQ	
Decision	Approval with Conditions	
Ward	Tonna	

57	App No. P/2006/1349	Type Discharge of Cond
Proposal	AGREE CONDITION 2 OF PLANNING APPLICATION 06/901 REGARDING MATERIALS	
Location	11 MELYN CLOSE, MELYN, NEATH SA11 2DH	
Decision	Approval	
Ward	Neath East	

58	App No. P/2006/1351	Type App under TPO
Proposal	WORK TO TWO TREES COVERED BY A TPO	
Location	LAND ADJACENT, 37 PARC PENSCYNOR, CILFREW, NEATH NEATH PORT TALBOTS A10 8LF	
Decision	Approval with Conditions	
Ward	Aberdulais	

59	App No. P/2006/1354	Type Householder
Proposal	TWO STOREY REAR EXTENSION	
Location	5 SEAWARD AVENUE, SANDFIELDS, PORT TALBOT NEATH PORT TALBOTS A12 7LT	
Decision	Approval with Conditions	
Ward	Sandfields East	

60	App No. P/2006/1364	Type Householder
Proposal	SINGLE STOREY REAR EXTENSION	
Location	20 CEDAR GARDENS, BAGLAN, PORT TALBOT NEATH PORT TALBOTS A12 8TE	
Decision	Approval with Conditions	
Ward	Baglan	

61	App No. P/2006/1368	Type Householder
Proposal	PARTIAL GARAGE CONVERSION	
Location	NANT FACH, 11 TIR CELYN, MARGAM, PORT TALBOT NEATH PORT TALBOTS A13 2UZ	
Decision	Approval with Conditions	
Ward	Margam	

62	App No. P/2006/1372	Type Householder
Proposal	FIRST FLOOR REAR AND SINGLE STOREY REAR EXTENSION	
Location	2 YEO STREET, RESOLVEN, NEATH NEATH PORT TALBOTS A11 4HS	
Decision	Approval with Conditions	
Ward	Resolven	

63	App No. P/2006/1374	Type Householder
Proposal	CONSERVATORY TO REAR	
Location	11 SCHOOL ROAD, CRYNANT, NEATH NEATH PORT TALBOTS A10 8NR	
Decision	Approval with Conditions	
Ward	Crynant	

64	App No. P/2006/1375	Type Householder
Proposal	CONSERVATORY	
Location	29 BRYNAMMAN ROAD, LOWER BRYNAMMAN, AMMANFORD NEATH PORT TALBOTS A18 1TR	
Decision	Approval with Conditions	
Ward	Lower Brynamman	

65	App No. P/2006/1376	Type Householder
Proposal	TWO STOREY SIDE EXTENSION	
Location	ROCKFIELD HOUSE, BIRCH LANE, CILFREW, NEATH NEATH PORT TALBOTS A10 8LJ	
Decision	Approval with Conditions	
Ward	Aberdulais	

66	App No. P/2006/1378	Type Householder
Proposal	TRIPLE GARAGE	
Location	LLANMIHANGEL FARM, PYLE, BRIDGEND CF336RL	
Decision	Approval with Conditions	
Ward	Margam	

67	App No. P/2006/1386	Type Householder
Proposal	GARAGE CONVERSION AND FIRST FLOOR SIDE EXTENSION	
Location	22 THE MEADOWS, SKEWEN, NEATH NEATH PORT TALBOTS A10 6SJ	
Decision	Approval with Conditions	
Ward	Coedffranc West	

68	App No. P/2006/1388	Type Householder
Proposal	CONSERVATORY TO REAR ELEVATION	
Location	43 DOLWERDD, NEATH, SA107QX	
Decision	Approval with Conditions	
Ward	Bryncoch South	

69	App No. P/2006/1390	Type Full Plans
Proposal	INSTALLATION OF EXTERNAL ROLLER SHUTTERS	
Location	219 NEATH ROAD, BRITON FERRY, NEATH NEATH PORT TALBOTS A11 2BJ	
Decision	Approval with Conditions	
Ward	Briton Ferry Ea	

70	App No. P/2006/1391	Type Householder
Proposal	FIRST FLOOR REAR EXTENSION	
Location	38 CHESTNUT ROAD, CIMLA, NEATH NEATH PORT TALBOTS A11 3PB	
Decision	Approval with Conditions	
Ward	Neath South	

71	App No. P/2006/1392	Type Full Plans
Proposal	SINGLE STOREY REAR EXTENSION	
Location	4 HEOL PENTWYN, CRYMLYN PARK, SKEWEN, NEATH NEATH PORT TALBOTS A10 6DX	
Decision	Approval with Conditions	
Ward	Coedffranc West	

72	App No. P/2006/1397	Type Householder
Proposal	PROPOSED TWO STOREY SIDE EXTENSION AND REAR CONSERVATORY	
Location	8 ORCHID CLOSE, SANDFIELDS, PORT TALBOT NEATH PORT TALBOTS A12 7EN	
Decision	Approval with Conditions	
Ward	Sandfields West	

73	App No. P/2006/1402	Type Discharge of Cond.
Proposal	DETAILS UNDER CONDITION 1 (LANDSCAPING) OF PREVIOUS PLANNING CONSENT P2006/0181	
Location	LAND OFF, AMMAN ROAD, LOWER BRYNAMMAN, AMMANFORD SA181SW	
Decision	Approval	
Ward	Lower Brynamman	

74	App No. P/2006/1413	Type Householder
Proposal	EXTENSION TO SIDE OF DWELLING ABOVE GARAGE AND SUN LOUNGE TO REAR	
Location	63 FFYNNON DAWEL, ABERDULAIS, NEATH NEATH PORT TALBOTS A10 8EQ	
Decision	Approval with Conditions	
Ward	Aberdulais	

75	App No. P/2006/1414	Type Discharge of Cond.
Proposal	AGREE CONDITION 4 OF PLANNING APPLICATION P/05/1641 WITH REGARD TO EXTERNAL MATERIALS	
Location	LAND ADJACENT TO :-, 112 BRYTWN ROAD, CYMMER, PORT TALBOT NEATH PORT TALBOTS A13 3EW	
Decision	Approval	
Ward	Cymmer	

76	App No. P/2006/1416	Type Householder
Proposal	DOUBLE GARAGE	
Location	TY NEWYDD, TYR HALEN ROW, BAGLAN, PORT TALBOT NEATH PORT TALBOTS A12 8BL	
Decision	Approval with Conditions	
Ward	Baglan	

77	App No. P/2006/1419	Type Householder
Proposal	PROPOSED BOW WINDOW, SHED & BOUNDARY WALL	
Location	366 OLD ROAD, BRITON FERRY, NEATH NEATH PORT TALBOTS A11 2HA	
Decision	Approval with Conditions	
Ward	Briton Ferry Ea	

78	App No. P/2006/1420	Type Householder
Proposal	SINGLE STOREY SIDE EXTENSION	
Location	9 HEOL CELYN, CIMLA, NEATH NEATH PORT TALBOTS A11 3YL	
Decision	Approval with Conditions	
Ward	Cimla	

79	App No. P/2006/1425	Type Householder
Proposal	SINGLE STOREY REAR EXTENSION	
Location	126 SHELONE ROAD, BRITON FERRY, NEATH NEATH PORT TALBOTS A11 2NE	
Decision	Approval with Conditions	
Ward	Briton Ferry We	

80	App No. P/2006/1444	Type Householder
Proposal	FIRST FLOOR REAR EXTENSION	
Location	40 BROOKDALE STREET, NEATH NEATH PORT TALBOTS A11 1PB	
Decision	Approval with Conditions	
Ward	Neath East	

81	App No. P/2006/1448	Type Discharge of Cond
Proposal	AGREE CONDITION 16 OF PLANNING APPLICATION 04/35 REGARDING NOISE MITIGATION SCHEME	
Location	LONGLANDS LANE, MARGAM, PORT TALBOT SA132SU	
Decision	Approval with Conditions	
Ward	Margam	

82	App No. P/2006/1451	Type Prior Notif.Eccl.
Proposal	NEW SEATING AND ALTAR FURNITURE (ALTAR LECTURN AND MOVEABLE FONT)	
Location	ST DAVID'S CHURCH, ST DAVIDS STREET, NEATH NEATH PORT TALBOT	
Decision	No Objections	
Ward	Neath North	



83	App No. P/2006/1461	Type Discharge of Cond.
Proposal	AGREE CONDITION 4 OF PLANNING APPLICATION 05/1829 REGARDING A TRAFFIC REGULATION ORDER SCHEME	
Location	FORMERLY 20, 22 & 24 BRITON FERRY ROAD, NEATH SA111AA	
Decision	Approval	
Ward	Neath East	

84	App No. P/2006/1465	Type Discharge of Cond
Proposal	DETAILS UNDER CONDITION 9 (MEANS OF ENCLOSURE) OF PREVIOUS PLANNING CONSENT P2006/0745	
Location	LAND ADJACENT TO, 32 MAIN ROAD, BRYNCOCH, NEATH SA107PE	
Decision	Approval	
Ward	Bryncoch North	

85	App No. P/2006/1485	Type Householder
Proposal	SINGLE STOREY SIDE EXTENSION	
Location	20 WAGNER ROAD, SANDFIELDS, PORT TALBOT NEATH PORT TALBOTS A12 7TT	
Decision	Approval with Conditions	
Ward	Sandfields West	

86	App No. P/2006/1488	Type Prior Notif.Eccl.
Proposal	REMOVAL OF PRESENT ORGAN AND INSTALL NEW ORGAN FROM ST DOGMAEL'S CHURCH	
Location	ST THOMAS'S CHURCH, CHURCH PLACE, NEATH NEATH PORT TALBOT	
Decision	No Objections	
Ward	Neath North	

87	App No. P/2006/1492	Type Prior Notif.Eccl.
Proposal	CHURCHYARD IMPROVEMENTS AND RESTORATION OF MONUMENTS	
Location	ST THOMAS'S CHURCH, CHURCH PLACE, NEATH NEATH PORT TALBOT	
Decision	No Objections	
Ward	Neath North	

88	App No. P/2006/1496	Type Householder
Proposal	DETACHED GARAGE	
Location	19 TWYN YR YNYS, CWMAVON, PORT TALBOT NEATH PORT TALBOTS A12 9EY	
Decision	Approval with Conditions	
Ward	Bryn & Cwmavon	

89	App No. P/2006/1504	Type Discharge of Cond.
Proposal	AGREE CONDITION 28 OF PLANNING APPLICATION 04/35 REGARDING STORAGE OF ROUNDWOOD	
Location	LONGLANDS LANE, MARGAM, PORT TALBOT SA132SU	
Decision	Approval with Conditions	
Ward	Margam	

90	App No. P/2006/1513	Type Discharge of Cond.
Proposal	AGREE CONDITION 8 OF PLANNING APPLICATION 04/35 REGARDING SURFACING OF ACCESS ROAD	
Location	LONGLANDS LANE, MARGAM, PORT TALBOT SA132SU	
Decision	Approval with Conditions	
Ward	Margam	

91	App No. P/2006/1514	Type Discharge of Cond.
Proposal	AGREE CONDITION 31 OF PLANNING APPLICATION 04/35 REGARDING DUST SUPPRESSION SCHEME	
Location	LONGLANDS LANE, MARGAM, PORT TALBOT SA132SU	
Decision	Approval with Conditions	
Ward	Margam	

92	App No. P/2006/1535	Type Discharge of Cond.
Proposal	AGREE CONDITION 2 OF PLANNING APPLICATION 06/90 REGARDING MATERIALS	
Location	LAND AT, TONMAWR ROAD, TONMAWR, PORT TALBOT	
Decision	Approval with Conditions	
Ward	Pelenna	